

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice that it intends to award up to \$500,000 in grants under its Year 2007 Dog Control Facility Bill Reimbursement Program (Program). The Program will award bill reimbursement grants of up to \$10,000 per recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this Program. The Program will be funded from the Dog Law Restricted Account, from funds which are hereby declared to be "surplus" funds for the limited purposes set forth in section 1002(b) of the Dog Law (3 P. S. § 459-1002(b)).

The proposed guidelines and conditions for the Program are set forth as follows.

In fulfillment of 7 Pa. Code § 23.4 (relating to guidelines and conditions), the Department invites public and legislative review of these proposed guidelines and conditions. Commentators should submit their comments, in writing, so they are received by the Department no later than 30 days from the date the proposed guidelines and conditions are published in the *Pennsylvania Bulletin*. Comments should be directed to Mary Bender, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

The Department will review and consider all written comments in preparing the final guidelines and conditions for the Program. The final guidelines and conditions for the Program will be published in the *Pennsylvania Bulletin* after the close of the comment period referenced. The Department will invite the submission of grant applications at that time.

#### Proposed Guidelines and Conditions for the Year 2007 Dog Control Facility Bill Reimbursement Grant Program

##### 1. Definitions.

The following words and terms, when used in these guidelines and conditions, have the following meanings:

*Department*—The Department of Agriculture.

*Dog control*—The apprehending, holding and disposing of stray or unwanted dogs, or as otherwise defined in section 102 of the Dog Law (3 P. S. § 459-102).

*Eligible Bill*—A document seeking payment for materials, services or utilities from a grant recipient, setting forth the following:

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.
- iii. If for materials, a description of the materials and the date of delivery. Invoices and/or receipts for materials must be set forth or be accompanied by a written description of the intended use of the material and the date the material is used. Materials may not include

computers, computer equipment or software. Examples of eligible materials include the following:

- Cleaning supplies.
- Office supplies—typical supplies used to carry on daily office duties.
- Materials for building and repair projects.
- Purchases of medication, needles and the like.

iv. If for services, a description of the nature of the services and the dates upon which the services were rendered. Examples of services include the following:

- Labor charges with respect to which the invoice details the exact service performed and the date of performance.

- Veterinarian services with respect to which the invoice identifies the dog treated and the reason for the treatment. Veterinarian Services may not include spay/neuter services.

- Cremation services with respect to which the invoice either verifies that only dogs were cremated or in the event that animals other than dogs were cremated, separates the dogs from those other animals and identifies a charge attributable to only the cremation of the dogs.

v. If for utilities (such as electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility, for which payment is sought, was provided.

vi. The name, address and telephone number of the entity issuing the invoice or receipt.

*Humane society or association for the prevention of cruelty to animals* (SPCA)—A nonprofit society or association duly incorporated under 15 Pa.C.S. Chapter 53 Subchapter A (relating to incorporation generally) for the purpose of prevention of cruelty to animals or as otherwise defined in section 102 of the Dog Law (3 P. S. § 459-102).

*Program*—The Year 2007 Dog Control Facility Bill Reimbursement Program.

##### 2. Eligibility.

A humane society or association for the prevention of cruelty to animals is eligible to apply to receive a grant under the Program if that humane society or association for the prevention of cruelty to animals:

- a. Has been in operation for at least 1 year immediately preceding the application date.

- b. Has performed dog control functions for at least 1 year immediately preceding the application date.

- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.

- d. Is not a party to a contract with the Department under which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2007.

- e. Agrees—as a condition of receiving any grant money under the Program—to continue to perform dog control activities and to accept stray or unwanted dogs from

Department of Agriculture Dog Wardens performing dog control functions through the year 2007.

f. Has a valid Pennsylvania 2007 "Non Profit" kennel license and operates only a nonprofit kennel at the facility for which grant reimbursement is requested. Facilities which house kennel operations other than a nonprofit facility (that is, boarding kennel and/or commercial kennel) at the same location are not eligible to participate in this program.

g. If the Humane Society/SPCA has a total operating budget of \$350,000 or less for the 2007 calendar year or if its budget is on a basis other than calendar year, has a total operating budget of \$350,000 or less for each fiscal year comprising any portion of calendar year 2007, the maximum grant amount will not exceed \$10,000.

h. If the Humane Society/SPCA has a total operating budget exceeding \$350,000 for the 2007 calendar year or if its budget is on a basis of other than calendar year, has a total operating budget over \$350,000 for each fiscal year comprising any portion of calendar year 2007, the maximum grant amount will not exceed \$5,000.

### 3. Use of Grant Funds.

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement and will not exceed \$10,000 with respect to any application.

The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2007, through December 31, 2007. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Any money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2007, or after December 31, 2007, that bill is not an eligible bill and will not be reimbursed by the Department under the Program. The sole exception to the prohibition set forth in the preceding sentence is as follows: If a bill covers materials, services or utilities provided in part in 2006 and in part in 2007, and the grant recipient was also a grant recipient under the Year 2006 Dog Control Facility Bill Reimbursement Program, the Department may, at its discretion, consider the bill an eligible bill.

### 4. Application Process.

a. *Application required.* A humane society or association for the prevention of cruelty to animals seeking a grant under the Program must complete a written application form and deliver it to the Department no later than 30 days from the date this notice is published in the *Pennsylvania Bulletin*. Applications received by the Department beyond that date will not be considered.

b. *Obtaining an application form.* The Department will provide grant application forms upon request. Requests for application forms should be directed to Mary Bender, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4833, fax (717) 772-4352.

c. *Contents of grant application form.* A grant application form shall require the following information:

- i. The name and address of the applicant.

- ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2.

- iii. The maximum grant amount sought by the applicant-not to exceed \$10,000.

- iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2006 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.

- v. Verification that, in the event a grant is awarded, the applicant will continue to perform dog control activities and to accept stray or unwanted dogs from Department State Dog Wardens performing dog control functions through the year 2007.

- vi. Other information as the Department might reasonably require.

### 5. Review and approval of grant application.

a. *Review and notification.* The Department will review each timely grant application and provide the applicant written notification of whether the Department awards the grant, denies the grant or awards a grant in some amount less than the applicant sought. This written notification will be mailed no later than 60 days from the date the Bureau of Dog Law Enforcement receives the grant application to the address provided by the applicant on the grant application form. If an application is incomplete or the Department requires additional information or documentation in order to evaluate the grant request, it will so advise the applicant within 60 days from the date it receives the grant application.

b. *Review criteria.* The Department will consider the following, among other factors, in determining whether to award a grant application:

- i. The number of applications received and the availability of funds for the grants sought.

- ii. The relative contribution of the applicant to dog control activities in the area it serves.

- iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.

- iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.

- v. The expense or logistical difficulty the Department would encounter if the applicant's dog control facility was no longer in operation.

- vi. The relative contribution of the applicant in terms of the number of stay or unwanted dogs it accepts from Department of Agriculture Dog Wardens performing dog control functions.

### 6. Grant agreement.

a. *Grant agreement required.* A successful grant applicant must execute a grant agreement with the Department, setting forth the terms and conditions pursuant to which the grant money will be used by the Department to reimburse the grant recipient for payment of eligible bills.

b. *Reimbursement requests.* The grant agreement will set forth the exact procedure by which a grant recipient shall seek reimbursement from the Department for payment of eligible bills. The basic reimbursement request procedure will be as follows:

By *May 15, 2007*, the grant recipient will: (1) deliver copies of the eligible bills it has paid between January 1 and April 30, 2007; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By *September 15, 2007*, the grant recipient will: (1) deliver copies of the eligible bills it has paid between May 1 and August 31, 2007; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By *January 15, 2008*, the grant recipient will: (1) deliver copies of the eligible bills it has paid between September 1 and December 31, 2007; (2) verify that these

bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

c. *Payment by the Department.* The Department will reimburse a grant recipient for eligible bills within 90 days of receiving a complete and timely reimbursement request.

d. *Termination.* The Department may terminate a grant agreement at any time by providing the grant recipient written notice of termination at the address set forth on the grant application.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 06-1212. Filed for public inspection June 30, 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 June 20, 2006.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-14-06	Allegheny Valley Bancorp, Inc., Pittsburgh, parent company of Allegheny Valley Bank of Pittsburgh, to acquire 100% of RSV Bancorp, Inc., Pittsburgh, parent company of Mt. Troy Bank, Pittsburgh, a Federal Savings Bank	Pittsburgh	Filed

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-14-06	Allegheny Valley Bank of Pittsburgh, Pittsburgh, and Mt. Troy Bank, Pittsburgh Surviving Institution— Allegheny Valley Bank of Pittsburgh, Pittsburgh	Pittsburgh	Filed
6-14-06	The Juniata Valley Bank Mifflintown Juniata County  Purchase of assets/assumption of liabilities of one branch of Mifflinburg Bank and Trust Company, Mifflinburg Located at: Main Street Richfield Juniata County	Mifflintown	Filed

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-14-06	Graystone Bank Lancaster Lancaster County	1276 North Atherton Street State College Centre County	Withdrawn

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-16-06	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	849 Paoli Pike West Chester Chester County	Filed
6-19-06	Lafayette Ambassador Bank Easton Northampton County	1127 Chestnut Street Emmaus Lehigh County	Opened

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-9-06	Orrstown Bank Shippensburg Cumberland County	13 Center Square Greencastle Franklin County	Effective
6-13-06	First Commonwealth Bank Indiana Indiana County	Logan Valley Mall West Plank Road Altoona Logan Township Blair County (Drive-Up Facility)	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
6-16-06	Freedom Credit Union, Philadelphia, and SE Family Federal Credit Union, Philadelphia Surviving Institution— Freedom Credit Union, Philadelphia	Philadelphia	Filed

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. 06-1213. Filed for public inspection June 30, 2006, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Manufactured Housing Installation Program; Approved Training Curriculum for Installers

Under 12 Pa. Code § 149.4(a)(4) (relating to installer training and certification), the Department of Community and Economic Development (Department) publishes the list of approved training curriculum for those persons seeking certification as installers of manufactured homes. Persons that have successfully completed the training curriculum listed will be eligible to apply for certification as an installer as defined in the Manufacturing Housing Improvement Act (35 P.S. § 1658.1—1658.3). See 36 Pa.B. 3087 (June 24, 2006) for the adopted text of 12 Pa. Code Chapter 149 (relating to manufactured housing improvement program).

- *Pennsylvania Manufactured Housing Installer Certification Course*, administered by the Pennsylvania Construction Codes Academy.

Persons already certified as installers are required to complete a specified training curriculum every 3 years as

provided for in 12 Pa. Code § 149.4(b)(iii). The following training curriculum is approved for those installers:

- *How to Inspect Manufactured and Modular Housing*, administered by the Pennsylvania Construction Codes Academy.

Program inquiries should be directed to Mark A. Conte, Chief, Housing Standards Division, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7416, [mconte@state.pa.us](mailto:mconte@state.pa.us).

DENNIS YABLONKSY,  
*Secretary*

[Pa.B. Doc. No. 06-1214. Filed for public inspection June 30, 2006, 9:00 a.m.]

### Manufactured Housing Installation Program; Fee Schedule

Under 12 Pa. Code § 149.7 (relating to fees), the Department of Community and Economic Development (Department) publishes the list of fees for those seeking to participate in this program as training providers and those persons seeking certification as installers of manufactured homes. The rates are effective immediately and will remain in effect until changed by a notice in the

*Pennsylvania Bulletin*. See 36 Pa.B. 3087 (June 24, 2006) for the adopted text of 12 Pa. Code Chapter 149 (relating to manufactured housing improvement program).

*Fees*

- (a) The Department will charge training providers:
- (i) \$400 for each curriculum evaluated for approval.
  - (ii) \$50 for each person registered to participate in an approved training curriculum.
- (b) The Department will charge installers an annual fee of \$150 for the issuance of individual installer certification.

Program inquiries should be directed to Mark A. Conte, Chief, Housing Standards Division, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7416, mconte@state.pa.us.

DENNIS YABLONKSY,  
*Secretary*

[Pa.B. Doc. No. 06-1215. Filed for public inspection June 30, 2006, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0062839	Lake Adventure Community Association, Inc. 5000 Lake Adventure Drive Milford, PA 18337	Dingman Township Pike County	UNT to Birchy Creek 01D	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>
PA0112411 (Nonmunicipal)	Hillside Acres Mobile Home Park 17 Hillside Acres Gillett, PA 16925-9621	Bradford County Ridgebury Township	Buck Creek SWP 4B	Y
PA0114766 (Sewage)	South Williamsport School District 515 West Central Avenue South Williamsport, PA 17702	Susquehanna Township Lycoming County	Bender Run CWF	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>
PA0032026	Family Affair Campground 9640 Findley Lake Road North East, PA 16428-5330	North East Township Erie County	Sixteen Mile Creek 16-SM	Y
PA0221619	Otto Township Sanitary Authority Box 284 Duke Center, PA 16729	Otto Township McKean County	Knapp Creek 16-C	Y
PA0221988	North Memorial Animal Hospital 143 SR 18 New Wilmington, PA 16142	Wilmington Township Lawrence County	UNT to Shenango River 20-A	Y

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

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

**NPDES Permit No. PA0050393**, Sewage, SIC 4952, **Hilltown Township Water and Sewer Authority**, P. O. Box 365, Sellersville, PA 18960. This facility is located at Highland Park Road, Sellersville, Hilltown Township, **Bucks County**, PA 18960.

Description of Activity: Renewal of Sewage Treatment Plant's NPDES Permit to discharge treated sewage effluent to a UNT of Mill Creek.

The receiving water and UNT of Mill Creek is in the State Water Plan Watershed 3E-Perkiomen and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua-PA is located on Perkiomen Creek and is approximately 8 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.15 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10.0	15.0		20.0
Total Suspended Solids	10.0	15.0		20.0
Ammonia as N	2.0			4.0
Phosphorus as P	1.5			3.0
NO <sub>2</sub> -N and NO <sub>3</sub>	10.0			20.0
Fecal Coliform*	200 #/100 ml			Monitor and Report
Dissolved Oxygen			6.0 (Minimum)	
pH (Std Units)		within limits of 6.0 to 9.0		

\*Ultra-Violet Disinfection.

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

1. Discharge must not cause nuisance.
2. Small stream discharge—if discharge causes health hazard additional measures may be required.
3. Proper sludge disposal.

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

**Application No. PA 0248231**, Sewage, **Otterbein United Methodist Church of Duncannon**, 301 North High Street, Duncannon, PA 17020. This facility is located in Penn Township, **Perry County**.

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

The receiving stream, a UNT to Little Juniata Creek, is in Watershed 7-A and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for United Water Company is located on the Susquehanna River, approximately 11.6 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.002 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	10		20
(11-1 to 4-30)	20		40
Total Suspended Solids	10		20
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18
Total Residual Chlorine	1.0		2.0
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a geometric average	

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

The EPA waiver is in effect.

**Application No. PA 0014672**, Industrial Waste, SIC Codes 3691 and 3341, **Exide Technologies**, P. O. Box 14294, Reading, PA 19612-4294. This facility is located in Muhlenberg Township, **Berks County**.

Description of activity: The application is for renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving streams, Bernhart Creek and the Schuylkill River are in Watershed 3-C and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Pottstown Water Company located on the Schuylkill River, approximately 22 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.25 mgd are:

<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	Monitor and Report	from 6.0 to 9.0 inclusive		
pH			from 6.0 to 9.0 inclusive		
Total Suspended Solids	63	125	30	60	75
Total Copper	1.298	2.881	0.671	1.382	1.678
Total Lead	0.300	0.645	0.144	0.309	0.360
Total Iron	0.160	0.312	0.077	0.149	0.193
Total Antimony	1.834	4.114	0.880	1.973	2.200
Total Arsenic	1.067	2.601	0.512	1.248	1.280
Total Zinc	0.893	2.165	0.428	1.038	1.070
NH <sub>3</sub> -N	12	24	5.0	10	12
CBOD <sub>5</sub>	52	83	25	40	50
Oil and Grease	31	62	15	30	30
Total Dissolved Solids	11,209	20,000	6,000	7,500	7,500

## NOTICES

*Interim*

The proposed effluent limits for Outfall 002 based on a design flow of 0.327 mgd are:

<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	Monitor and Report	Monitor and Report			
pH			from 6.0 to 9.0 inclusive		
Total Suspended Solids	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Total Aluminum	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Total Antimony	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Total Arsenic	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Total Cadmium	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Chromium, VI	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Total Copper	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Total Lead	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Total Iron	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Total Zinc	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
Total Dissolved Solids	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	
TUa				3.09	
Oil and Grease	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	

*Final*

The proposed effluent limits for Outfall 002 based on a design flow of 0.327 mgd and a stream flow of 8.8 cfs are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Minimum Daily</i>	
Flow	Monitor and Report	Monitor and Report				
pH			from 6.0 to 9.0 inclusive			
Total Suspended Solids	81	162	30	60		75
Total Aluminum	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report		
Total Antimony	0.704	1.408	0.258	0.516		0.645
Total Arsenic	2.509	5.018	0.920	1.840		2.300
Total Cadmium	0.210	0.420	0.077	0.154		0.193
Chromium, VI	0.521	1.042	0.191	0.382		0.478
Total Copper	0.837	1.674	0.307	0.614		0.678
Total Lead	0.379	0.758	0.139	0.278		0.348
Total Iron	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report		
Total Zinc	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report		
Total Dissolved Solids	2,727	5,454	1,000	2,000		2,000
TUa				3.09		
Oil and Grease	41	82	15	30		30
Stream Flow (CFS)					8.80	

The proposed effluent limits for Outfall 002 based on a design flow of 0.327 mgd and a stream flow of 4.928 cfs are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Minimum Daily</i>	
Flow	Monitor and Report	Monitor and Report				



Parameter	Mass (lb/day)		Concentration (mg/l)			
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Minimum Daily	Instantaneous Maximum
pH			from 6.0 to 9.0 inclusive			
Total Suspended Solids	81	162	30	60		75
Total Aluminum	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report		
Total Antimony	0.409	0.818	0.150	0.300		0.375
Total Arsenic	1.464	2.929	0.537	1.074		1.343
Total Cadmium	0.120	0.240	0.044	0.088		0.110
Chromium, VI	0.305	0.611	0.112	0.224		0.280
Total Copper	0.480	0.960	0.176	0.352		0.440
Total Lead	0.215	0.431	0.079	0.158		0.198
Total Iron	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report		
Total Zinc	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report		
Total Dissolved Solids	2,727	5,454	1,000	2,000		2,000
TUa				3.09		
Oil and Grease	41	82	15	30		30
Stream Flow (CFS)						

**Application No. PA 0248142**, Sewage, **Rodger C. Petrone**, 4076 Market Street, Camp Hill, PA 17011. This facility is located in Carroll Township, **York County**.

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

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

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

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N	Monitor and Report	Monitor and Report
Total Residual Chlorine	Monitor and Report	Monitor and Report
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform	200/100 ml as a geometric average	
(5-1 to 9-30)	1,400/100 ml as a geometric average	
(10-1 to 4-30)		

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

The EPA waiver is in effect.

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

**PA0228401**, CAFO SIC 0241, **Schrack Farms Partnership**, 860 West Valley Road, Loganton, PA 17747. This existing facility is located in Greene Township, **Clinton County**.

Description of Proposed Activity: The applicant proposes the renewal of an NPDES permit authorizing the CAFO operation at the site. Schrack Farms Partnership is a dairy farm consisting of 850 dairy cows and 580 dairy heifers for a total of 1,670 animal equivalent units. Manure is stored in an earthen clay-lined 5 million gallon impoundment.

The receiving stream, Fishing Creek is in the State Water Plan (SWP) Watershed 9C and is classified for HQ-CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO individual permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required.

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

**PA0001228**, Industrial Waste, SIC, 3621, **Curtiss-Wright Corporation**, 1000 Cheswick Avenue, Cheswick, PA 15024. This application is for renewal of an NPDES permit to discharge untreated cooling water, untreated test loop water, deionized water and stormwater from the Curtiss-Wright Electro-Mechanical Corporation in Harmar Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, dry drainage swale to a UNT-Allegheny River and dry drainage swale to the Allegheny River, classified as a WWF with existing and/or potential

uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Oakmont, located approximately, 2.0 miles below the discharge point.

*Outfall 001:* existing discharge, design flow of 0.25 mgd.

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

*Outfall 003:* existing discharge, design flow of 0.249 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)				36 Month	
				Interim	Final
				Monitor and Report	
January 1—31				40.0	110
February 1—29				40.0	110
March 1—31				46.0	110
April 1—15				52.0	110
April 16—30				58.0	110
May 1—15				64.0	110
May 16—31				72.0	110
June 1—15				80.0	110
June 16—30				84.0	110
July 1—31				87.0	110
August 1—31				87.0	110
September 1—15				84.0	110
September 16—30				78.0	110
October 1—15				72.0	110
October 16—31				66.0	110
November 1—15				58.0	110
November 16—30				50.0	110
December 1—31				42.0	110
pH	not less than 6.0 nor greater than 9.0				

*Outfall 101, 201, 301, 401, 501, 601, 701, 801, 103, 203, 303, 403, 503, 603, 703, 803 and 903:* new discharges, design flow NA.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
TSS				30	60
Iron				Monitor and Report	
Oil and Grease				15	30
Dissolved Oxygen	Minimum of 5.0				
pH	Monitor and Report				

*Outfalls 002 and 004:* existing discharge design flow of NA.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Discharge shall consist solely of uncontaminated stormwater runoff.					

The EPA waiver is in effect.

**PA0091740**, Industrial Waste, SIC, 4911, **West Penn Power Company**, 800 Cabin Hill Drive, Greensburg, PA 15601-1689. This application is for renewal of an NPDES permit to discharge treated leachate from the Springdale Ash Disposal Site (closed ash site) in Frazer Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Riddle Run and Tawney Run, classified as WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first

existing/proposed downstream potable water supply is Oakmont Borough Municipal Authority, located at 721 Allegheny Avenue, Oakmont, PA 15139, 4.5 miles below the discharge point.

*Outfall 001: existing discharge, design flow of 0.0361 mgd. (Interim Limits)*

<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				
Suspended Solids			30		75
Aluminum			0.5		1.3
Iron			1.6		4.0
Iron, dissolved			0.33		0.83
Manganese			1.1		2.8
Boron			20		40
pH	not less than 6.0 nor greater than 9.0				

*Outfall 001: existing discharge, design flow of 0.0361 mgd (Final Limits)*

<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				
Suspended Solids			30		75
Aluminum			0.5		1.3
Iron			1.6		4.0
Iron, dissolved			0.33		0.83
Manganese			1.1		2.8
Boron			2.0		5.0
pH	not less than 6.0 nor greater than 9.0				

*Outfall 002: existing discharge, design flow of 0.0016 mgd (Final Limits)*

<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				
Suspended Solids			30		75
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0097110**, Industrial Waste, SIC 4153, **Shade Landfill, Inc.**, 1176 No. 1 Road, Cairnbrook, PA 15924. This application is for the renewal of an NPDES permit to discharge treated leachate and under drain and stormwater from the Shade Landfill in Shade Township, **Somerset County**.

The following effluent limitations are proposed for discharge to receiving waters, Laurel Run classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority on the Allegheny River located at Freeport, PA, 105 miles below the discharge point.

*Outfall 001: existing discharge, design flow of 0.025 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)	0.025		Monitor and Report		
CBOD <sub>5</sub>			31		78
BOD			37		140
Suspended Solids			23	46	
Oil and Grease			15		30
Ammonia-nitrogen			3.4		6.8
Total Residual Chlorine			0.5		1.0
Fecal coliforms: (5-1 to 9-30)			200/100 ml		1,000/100 ml
(10-1 to 4-30)			2,000/100 ml		
Antimony			0.022	0.044	
Beryllium			Nondetectable using EPA test method 210.2		
Boron			3.6	7.2	

## NOTICES

<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>
Cadmium					
Interim			0.003	0.006	
Final			0.0006	0.0012	
Copper					
Interim			0.025	0.05	
Final			0.021	0.042	
Iron			3.3	6.6	
Iron, dissolved			0.66	1.32	
Lead			0.007	0.014	
Silver			0.006	0.012	
Thallium			0.004	0.008	
Zinc			0.11	0.20	
Phenolics			0.044	0.088	
Nickel					
Interim			0.150	0.30	
Final			0.124	0.248	
a-Terpineol			0.016	0.033	
Benzoic acid			0.071	0.12	
p-Cresol			0.014	0.025	
Phenol			0.015	0.026	
pH			Not less than 6.0 nor greater than 9.0		

*Outfall 001*: existing discharge, design flow of 0.04 mgd. These limits are effective if the monthly average flow rate is greater than 0.025 mgd up to 0.04 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)	0.04	Monitor and Report			
CBOD <sub>5</sub>			31		78
BOD			37		140
Suspended Solids			23	46	
Oil and Grease			15		30
Ammonia-nitrogen			2.9	5.8	
Total Residual Chlorine			0.41		1.0
Fecal coliforms:					
(5-1 to 9-30)			200/100 ml		1,000/100 ml
(10-1 to 4-30)			2,000/100 ml		
Antimony			0.018	0.036	
Beryllium			Nondetectable using EPA test method 210.2		
Boron			2.8	5.6	
Cadmium					
Interim			0.002	0.004	
Final			0.0005	0.001	
Copper					
Interim			0.02	0.04	
Final			0.017	0.034	
Iron			2.6	5.2	
Iron, dissolved			0.53	1.06	
Lead			0.006	0.012	
Silver			0.005	0.010	
Thallium			0.004	0.008	
Zinc			0.11	0.20	
Phenolics			0.035	0.07	
Interim			0.150	0.30	
Final			0.098	0.196	
a-Terpineol			0.016	0.033	
Benzoic acid			0.071	0.12	
p-Cresol			0.014	0.025	
Phenol			0.015	0.026	
pH			Not less than 6.0 nor greater than 9.0		

Outfall 002: existing discharge, average flow of 0.002 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
	Monitor and Report				
Flow (mgd)			35	70	
Suspended Solids					
Cadmium			0.005	0.01	
Iron			3.0	6.0	
Manganese			1.03	2.06	
Silver			0.011	0.022	
Iron, Dissolved				7.0	
pH			not less than 6.0 nor greater than 9.0		

Outfalls 003—007: existing discharge, design flow of varied mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			Monitor and Report		
Oil and grease			Monitor and Report		
CBOD <sub>5</sub>			Monitor and Report		
Dissolved Solids			Monitor and Report		
Ammonia-nitrogen			Monitor and Report		
Arsenic			Monitor and Report		
Cadmium			Monitor and Report		
Chromium			Monitor and Report		
Iron			Monitor and Report		
Iron, dissolved			Monitor and Report		
Lead			Monitor and Report		
Mercury			Monitor and Report		
Selenium			Monitor and Report		
Silver			Monitor and Report		
Zinc			Monitor and Report		
pH			Monitor and Report		

The EPA waiver is in effect.

**PA0216909**, Industrial Waste, SIC, 6719, **S-All, Inc., c/o William Dux**, Hershey Square 245, 1152 Mae Street, Hummelstown, PA 17036. This application is for renewal of an NPDES permit to discharge treated groundwater from remediation activities in White Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, Stoney Run, classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Saltsburg Municipal Waterworks located at Saltsburg 22 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0022 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Total Suspended Solids			30		75
Oil and Grease			15		30
Dissolved Iron					7
Carbon Tetrachloride			0.024		0.042
Chloroethane			0.175		0.175
1,1-dichloroethane			0.014		0.113
1,2-dichloroethane			0.015		0.038
1,1-dichloroethylene			0.010		0.025
Ethylbenzene			0.142		0.380
Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
1,1,2,2-tetrachloroethane			0.010		0.013
Tetrachloroethylene			0.012		0.016
1,1,1-trichloroethane			0.005		0.018
Trichloroethylene			0.026		0.069

## NOTICES

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
1,2-dichloroethylene			0.017		0.017
Xylenes			0.244		0.316
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0253235**, Industrial Waste, SIC, 4961, **Tarentum Housing Limited Partnership**, 4415 5th Avenue, Pittsburgh, PA 15213. This application is for an NPDES permit to discharge untreated noncontact cooling water from the proposed Tarentum Senior Housing in Tarentum and Brackenridge Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply considered during the evaluation is located on the Allegheny River 0.2 mile below the discharge point.

*Outfall 001*: new discharge to the Allegheny River, design flow of 0.91 mgd.

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

*Outfall 002*: new discharge to Allegheny River, design flow of 1.03 mgd

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

The EPA waiver is in effect.

**PA0024449**, Sewage, **Youngwood Borough Authority**, 17 South Sixth Street, Youngwood PA 15697-1231. This application is for renewal of an NPDES permit to discharge treated sewage from Youngwood Borough Sewage Treatment Plant in Youngwood Borough, **Westmoreland County**.

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

*Outfall 001*: existing discharge, design flow of 0.5 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0	7.5		10.0
(11-1 to 4-30)	14.0	21.0		28.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0093203**, Sewage, **The Pennsylvania State University**, 113 Physical Plant Building, University Park, PA 16802. This application is for renewal of an NPDES permit to discharge treated sewage from Penn State New Kensington Campus STP in Upper Burrell Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Pucketa Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Oakmont Borough Water Authority.

*Outfall 001*: existing discharge, design flow of 0.015 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	15			30
Suspended Solids	25			50
Ammonia Nitrogen (5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	12.0			24.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0093611**, Sewage, **ST Development Company, LLC**, 2611 Memorial Boulevard, Connellsville PA 15425. This application is for renewal of an NPDES permit to discharge treated sewage from ST Development Company STP in Bullskin Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Drainage Swale to Irish Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Westmoreland County Municipal Authority, McKeesport Plant, on the Youghiogheny River.

*Outfall 001*: existing discharge, design flow of 0.0061 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	12.0			24.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0098183**, Sewage, **Gary A. Sippel**, 2593 Wexford-Bayne Road, Sewickley, PA 15143. This application is for renewal of an NPDES permit to discharge treated sewage from Stone Mansion STP in Franklin Park Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters known as Swale to UNT of East Branch Big Sewickley Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Nova Chemicals, Beaver Valley Plant on the Ohio River at river mile 29.5.

*Outfall 001*: existing discharge, design flow of 0.03583 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.0			6.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0218391**, Sewage, **Georges Creek Municipal Authority**, P. O. Box 338, Smithfield, PA 15478. This application is for renewal of an NPDES permit to discharge treated sewage from Georges Creek Municipal Authority STP in Georges Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Georges Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Dunkard Valley Joint Municipal Authority on the Monongahela River.

*Outfall 001*: existing discharge, design flow of 0.16 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	3.0	4.5		6.0
(11-1 to 4-30)	9.0	13.5		18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 4.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0253057-A1**, Sewage, **Anthony and Ruth Testa**, 428 Truby Street, Greensburg, PA 15601. This application is for amendment of an NPDES permit to discharge treated sewage from Testa SF STP in Donegal Township, **Westmoreland County**.

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

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

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

The EPA waiver is in effect.



**PA0253324**, Sewage, **Guardian Elder Care, LLC**, P. O. Box 240, Brockway, PA 15824. This application is for issuance of an NPDES permit to discharge treated sewage from Scenery Hill Manor Person Care Home in Armstrong Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT to Cheese Run, 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 Buffalo Township Municipal Authority.

*Outfall 001*: new discharge, design flow of 0.0044 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	3.5			7.0
(11-1 to 4-30)	10.0			20.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.3			0.7
Dissolved Oxygen	not less than 5 mg/l			
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.*

**PA0239836**, Sewage, **Robert C. and Helen McCanna**, 8 Deer Run Road, Bradford, PA 16701. This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Activity: A new discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Water Company is located on the Allegheny River and is approximately 128.4 miles below point of discharge.

The receiving stream, the South Branch Willow Creek is in Watershed 16-B and classified for HQ-CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
CBOD <sub>5</sub>	10		20
Total Suspended Solids	10		20
Fecal Coliform			
(5-1 to 9-30)	200/100ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

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

**WQM Permit No. 2206403**, Sewerage, **Dauphin Borough**, 200 Church Street, P. O. Box 487, Dauphin, PA 17018. This proposed facility is located in Dauphin Borough, **Dauphin County**.

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

**WQM Permit No. 2806403**, Sewerage, **Ray and Rubie Wingert**, 2635 Grand Point Road, Chambersburg, PA 17201. This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Application for the construction/operation of a small flow spray irrigation system to serve their single family residence located on Lot No. 13, Grand Point Road.

**WQM Permit No. WQG02210601**, Sewerage, **South Middleton Township Municipal Authority**, 345 Criswell Drive, Boiling Springs, PA 17007-0008. This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Application for the construction/operation of the Villa Estates pumping station.

**WQM Permit No. WQG02440601**, Sewerage, **Derry Township Sanitary Sewer Authority**, 15 West Mill Street, P. O. Box 465, Yeagertown, PA 17099. This proposed facility is located in Derry Township, **Mifflin County**.

Description of Proposed Action/Activity: Application for the construction/operation of a sewer extension to serve the Blossom Hill residential community.

**WQM Permit No. WQG02280601**, Sewerage, **Guilford Township Authority**, 115 Spring Valley Road, Chambersburg, PA 17201. This proposed facility is located in Guilford Township, **Franklin County**.

Description of Proposed Action/Activity: Application for the construction/operation of the Woodstock Drainage Basin Diversion Pumping Station.

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

**WQM Permit No. 1185402-A5**, Sewerage, **Ebensburg Borough Municipal Authority**, Ebensburg Municipal Building, 300 West High Street, Ebensburg, PA 15931. This proposed facility is located in Cambria Township, **Cambria County**.

Description of Proposed Action/Activity: Application for changes to the proposed sludge dewatering equipment, including replacement of the existing sludge belt filter press.

**WQM Permit No. WQG-026107**, Sewerage, **Forward Township**, 500 Liggett Avenue, Monongahela, PA 15063. This proposed facility is located in Forward/Elizabeth Townships, **Allegheny County**.

Description of Proposed Action/Activity: Application for the extension of existing sewer system, construction of new gravity sewer line and gravity sanitary sewer system.

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

**WQM Permit No. 2506408**, Sewerage, **Pleasant Ridge Manor—West**, 8300 West Ridge Road, Girard, PA 16417. This proposed facility is located in Fairview Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the installation of dechlorination process to an already existing wastewater treatment facility.

**WQM Permit No. 2503418**, Sewerage, Amendment No. 1, **Municipal Authority of the Borough of Waterford**, 30 South Park Row, P. O. Box 49, Waterford, PA 16441. This proposed facility is located in Waterford Borough, **Erie County**.

Description of Proposed Action/Activity: This project is for the rerating of the wastewater treatment plant from 240,000 gpd limit to 324,000 gpd.

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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>
PAI011506042	Tummilow and Sons, Inc. 1024 Pottstown Pike Chester Springs, PA 19425	Chester	East Vincent township	UNT French Creek EV
PAI011506043	Griffiths Construction Company 851 Chester Spring Road Chester Springs, PA 19425	Chester	Charlestown Township	Pickering Creek HQ-TSF
PAI011506044	Downingtwn Area School District 122 Wallace Avenue Downingtwn, PA 19335	Chester	West Bradford Township	Broad Run EV
PAI012306002	NVS Custom homes, LP 347 East Conestoga Road Wayne, PA 19087	Delaware	Thornbury Township	UNT Chester Creek TSF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024506014	Bestway of Pennsylvania, Inc. 3870 SR 191/390 Cresco, PA 18326	Monroe	Barrett Township	Cranberry Creek HQ-CWF
PAS10S046R(2)	S.I.D.E. Corporation P. O. Box 1050 Blakeslee, PA 18610	Monroe	Tobyhanna Township	Tobyhanna Creek HQ-CWF
PAI024506013	Sciota Properties, LLC HC 1, Box 70 Saylorsburg, PA 18353	Monroe	Hamilton Township	McMichael Creek 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>
PAI023906012	Lehigh Valley Hospital & Health Network Cedar Crest and I-78 P. O. Box 689 Allentown, PA 18105-1556	Lehigh	Salisbury Township	Little Lehigh Creek HQ-CWF

*Pike County Conservation District: HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10V040-1	The Glen at Tamiment & Eagle Village Property Owners Associations Recreation Areas 920 Matson Ford Road West Conshohocken, PA 19428	Pike	Lehman Township	Tributary 05057 to Little Bushkill Creek HQ-CWF  Little Bushkill Creek EV

*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>
PAI032806006	Divinity Investments, LLC P. O. Box 1180 Chambersburg PA 17201	Franklin	Antrim Township	UNT Muddy Creek HQ-CWF

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

*Erie Conservation District: 1927 Wager Road, Erie, PA 16509*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062506002	Greater Erie Industrial Development Corp (GEIDC) 5240 Knowledge Parkway Erie, PA 16520	Erie	City of Erie	Cemetery Run Motsch Run/Lake Erie WWF

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

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

### **CAFO Notices of Intent Received**

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

**PAG124804, CAFO, SIC 0213, John and Trisha Stone**, 12547 Stage Road, McClure, PA 17841. This existing facility is located in Spring Township, **Snyder County**. Description of Size and Scope of Proposed Operation/Activity: 4,200 swine finishing operation (558.9 AEUs).

The receiving stream, Middle Creek is in the Penns Watershed 6A and classified for TSF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and The Clean Stream Law constitutes compliance with the state narrative water quality standards.

### **PUBLIC WATER SUPPLY (PWS) PERMIT**

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

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

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

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

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### **SAFE DRINKING WATER**

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

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

**Permit No. 4606506**, Public Water Supply

Applicant	<b>Audubon Water company</b>
Township	Lower Providence
County	<b>Montgomery</b>
Responsible Official	Joseph H. Russell
Type of Facility	PWS
Consulting Engineer	Evans Mill Environmental, Inc.
Application Received Date	June 13, 2006
Description of Action	Permitting of Well No. 15 to replace existing Well 10.

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

**Permit No. 0605523**, Public Water Supply.

Applicant	<b>Mohrsville Water Supply Authority</b>
Municipality	Centre Township
County	<b>Berks</b>
Type of Facility	Installation of arsenic treatment to existing water system.
Consulting Engineer	Michael W Wellet, P. E. Hammerhead Engineering & Environmental Services, LL 107 Hillside Terrace Califon, NJ 4119
Permit to Construct Issued:	6/12/2006

**Operations Permit** issued to **Aqua Pennsylvania, Inc.**, 7010057, Mt. Joy Township, **Adams County** on 6/15/2006 for the operation of facilities approved under Construction Permit No. 0105507 MA.

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

**Application No. 6206502**, Public Water Supply

Applicant	<b>North Warren Municipal Authority</b>
Township or Borough	Conewango Township
	<b>Warren County</b>
Responsible Official	Skip Jacobson, Authority Chairperson
Consulting Engineer	Dale W. Sorensen, P. E. Project Consultant Northwest Engineering Inc P. O. Box Q Tidioute PA 16351
Application Received Date	05/26/2006
Description of Action	Application is to supply public water service from the North Warren Municipal Authority, to the North Ridge Subdivision, a 47-lot residential subdivision currently under construction.

#### **MINOR AMENDMENT**

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

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

**Application Minor Amendment.**

Applicant	<b>Borough of Alburdis</b>
	Alburdis Borough
	<b>Lehigh County</b>

Responsible Official Steven R. Hill  
260 Franklin Street  
Alburtis, PA 18011-0435  
(610) 966-4777

Type of Facility Community Water System

Consulting Engineer Ronald E. Coleman, P. E.  
R.E. Coleman Associates  
1055 Andrew Drive  
West Chester, PA 19380-4293  
(610) 840-9100

Application Received Date May 22, 2006

Description of Action Application for construction of a 200,000 gallon finished water storage tank to serve the Borough of Alburtis.

**Application No. 3906504**, Public Water Supply.

Applicant **Borough of Alburtis**  
Alburtis Borough  
**Lehigh County**

Responsible Official Steven R. Hill  
260 Franklin Street  
Alburtis, PA 18011-0435  
(610) 966-4777

Type of Facility Community Water System

Consulting Engineer Ronald E. Coleman, P. E.  
R. E. Coleman Associates  
1055 Andrew Drive  
West Chester, PA 19380-4293  
(610) 840-9100

Application Received Date May 22, 2006

Description of Action Application for a new well to augment the existing supply wells serving the Borough of Alburtis.

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

**Application No. 5606503MA**, Minor Amendment.

Applicant **Conemaugh Township Municipal Authority**  
113 South Main Street  
P. O. Box 429  
Davidsville, PA 15928-0429

Township or Borough Conemaugh Township

Responsible Official Mark Blasko, Chairperson  
Conemaugh Township Municipal Authority  
113 South Main Street  
P. O. Box 429  
Davidsville, PA 15928-0429

Type of Facility Water storage tank

Consulting Engineer The EADS Group, Inc.  
450 Aberdeen Drive  
Somerset, PA 15501

Application Received Date June 13, 2006

Description of Action Construction of a 500,000 gallon finished water storage tank known as the Davidsville Water Storage Tank No. 2. Also blasting/painting to the 200,000 gallon finished water storage tank known as the Davidsville Water Storage Tank No. 1.

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

**Application No. 2099501-MA1**, Minor Amendment

Applicant **Borough of Cambridge Springs**

Township or Borough Cambridge Springs Borough  
**Crawford County**

Responsible Official Peggy Lewis, Borough Manager

Type of Facility Public Water Supply

Application Received Date 05/30/2006

Description of Action Replacement of an existing elevated 200,000-gallon water tank with a 495,000 gallon stand pipe water tank. Tank location is on Sitler Avenue.

**WATER ALLOCATIONS**

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

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

**WA4-1006**, Water Allocations. **Borough of Shippingport**, P. O. Box 76, Shippingport, PA 15077, **Beaver County**. The applicant is requesting a new subsidiary water allocation to purchase 15,350 gpd from the Midland Municipal Authority located in Beaver County.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 1**

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

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

or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Palinkas Residence**, Cheltenham Township, **Montgomery County**. Tiffani Doerr, GES, Inc. 410 Eagleview Blvd., Suite 110, Exton, PA 19341 on behalf of Sandor Palinkas, 322 Bent Road, Wyncote, PA 19095 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of No. 2 fuel oil. The future use of the property is residential.

**Sun Malvern Tanker Spill Site**, East Whiteland Township, **Chester County**. Patrick S. Crawford, P. G., GES, Inc. 410 Eagleview Blvd., Suite 110, Exton, PA 19341 on behalf of Tony Bamonte, Liberty Prop. Trust, LP, 500 Chesterfield Pkwy., Malvern, PA 19355 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with unleaded gasoline, MTBE and BTEX. The intended future use of the property is expected to remain nonresidential. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on May 22, 2006.

**Absco Parcel A**, City of Philadelphia, **Philadelphia County**. Angelo Waters, Urban Engineers, Inc. 530 Walnut St. 14th Floor, Philadelphia, PA 19106 on behalf of Andy Karff, Absco, Inc., 1310-28 N. Second St. Philadelphia, PA 19122 has submitted a Notice of Intent to

Remediate. Soil at the site has been impacted by release of metals, PCBs and lead. The intended future use of Parcel A is for residential/commercial development.

**B-1 Parcel, Holme and Poquessing Streets**, City of Philadelphia, **Philadelphia County**. Bill Schmidt, Pennoni Assoc., Inc. 3001 Market St. Philadelphia, PA 19104 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of pesticides and other organics.

**Bucks County Intermediate Unit**, Bristol Township, **Bucks County**. Michael Sarcinello, Aquaterra Tech. Inc., P. O. Box 744, West Chester, PA 19381 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of No. 2 fuel oil.

**Penn Tank Lines Accidental Tankers Spill**, West Caln Township, **Chester County**. Gilbert J. Marshall, P. G., Marshall Geoscience, Inc. 170 E. First Avenue, Collegeville, PA 19426 on behalf of Michael W. Rebert, P. E., Penndot, Maintenance District 6-2, 401 Montgomery Avenue, West Chester, PA 19380 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with unleaded gasoline. The site will be restored to its ordinal conditions, and future use of the site will remain unchanged.

**Absco Parcel B**, City of Philadelphia, **Philadelphia County**. Angelo Waters, Urban Engineers, Inc. 530 Walnut St. 14th Floor, Philadelphia, PA 19106 on behalf of Andy Karff, Absco Inc. 1310-28 N. Second St. Philadelphia, PA 19122 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of metals and PCB'S. The intended future use will remain as commercial and industrial use.

**Hunter Residence**, East Marlborough Township, **Chester County**. Steve Morpus, HMHTTC Response, Inc. 19 Davison Lane, New Castle, DE. 19720 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of No. 2 fuel oil.

**Northern Shipping Facility**, City of Philadelphia, **Philadelphia County**. Jamey Stynchula, Pennoni Assoc., Inc. 3001 Market St. Philadelphia, PA 19104 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of inorganic, lead and arsenic. The future use of the property is for residential and commercial use.

**Kovalchick Salvage Company**, Solebury Township, **Bucks County**. George Field, SAIC, 6310 Allentown Blvd. Harrisburg, PA 17112 on behalf of Joseph Kovalchick, Kovalchick Salvage Corporation, 1060 Wayne Avenue, Indiana, PA 15701 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of No. 2 fuel oil and other organics.

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

**Wolfe's General Store**, Brown Township, **Lycoming County**. Environmental Compliance and Control, Inc., 400 Morris Ave., Denville, NJ 07834 on behalf of Tom and Deborah Finkbinder, Wolfe's General Store, P. O. Box 1, Slate Run, PA 17769 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with heating oil and kerosene. The applicant proposes to remediate the site to meet the Statewide Heath Standard.

**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. PAD000736942. Calgon Carbon Corporation, P. O. Box 717, Pittsburgh, PA 15230.** Operation of a carbon regeneration facility in Neville Township, **Allegheny County**. Application to modify the permit to lower carbon regeneration furnace after burner temperature and oxygen content received in Regional Office on May 3, 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.*

**58-303-006: New Milford Materials, LLC** (P. O. Box 324A-1, Montrose, PA 18801) for construction of a batch asphalt plant and associated air cleaning device with the capability of utilizing waste derived liquid fuel on Carey Road, New Milford Township, **Susquehanna County**.

**48-313-100: Ecopax, LLC—United Plastics Group** (30 Commerce Drive, Somerset, NJ 08873) for construction of two Styrofoam production lines and associated air cleaning devices in Forks Township, **Northampton County**.

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

**01-03031A: ISP Minerals, Inc.** (P. O. Box O, 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214-0914) for replacement of dust collectors. Existing sources will be controlled by the use of two new fabric filter baghouses in Hamiltonban Township, **Adams County**.

**36-03116A: Wilbur Chocolate Co., Inc.** (48 North Broad Street, Lititz, PA 17543) for installation of a new roasting system at their chocolate manufacturing facility in Mount Joy Borough, **Lancaster County**.

**38-05035: PPL Distributed Generation, LLC** (Two North Ninth Street, GENPL8, Allentown, PA 18101) for a landfill gas to energy facility with Greater Lebanon Refuse Authority to install two engine generators (Caterpillar Model 3520, 1,600 kilowatts each) in North Annville Township, **Lebanon County**. The facility's primary emissions will be NOx.

**67-05032D: Harley-Davidson Motor Company Operations, Inc.** (1425 Eden Road, York, PA 17402) for the venting to atmosphere of the exhaust from an existing cartridge filter at the York motorcycle assembly plant in Springettsbury Township, **York County**.

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

**41-399-027A: Smurfit-Stone Container Enterprises, Inc.** (P. O. Box 371, Jersey Shore, PA 17740) for modification of a paperboard/plastic film gluing operation by increasing the amount of adhesive and cleaning solvent used as well as by using an adhesive with a higher volatile HAP content thereby resulting in an increase in the emission of both VOCs and volatile HAPs in Porter Township, **Lycoming County**.

**41-320-002: Webb Communications** (One Maynard Street, Williamsport, PA 17701) for construction of four heatset web offset lithographic printing presses and an

associated air cleaning device (a regenerative thermal oxidizer) and for the installation of the same air cleaning device on two existing heatset web offset lithographic printing presses in the City of Williamsport, **Lycoming County**.

**49-00052A: Butter Krust Baking Co., Inc.** (249 North Eleventh Street, Sunbury, PA 17801-2433) for construction and operation of a natural gas-fired bread oven with a catalytic oxidizer to control the air contaminant emissions from the oven at their Northumberland Plant located in the Borough of Northumberland, **Northumberland County**.

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

**42-211A: M & M Royalty, Ltd.** (Route 146, Smethport, PA 16749) for construction—modification of a natural gas stripping operation in the Township of Sergeant, **McKean County**.

**10-305A: Recmix of PA, Inc.** (359 North Pike Road, Sarver PA 16055) for installation of an aggregate drying system and blending station to produce a cement additive, in the Township of Winfield, **Butler County**.

**42-206B: Holm Industries** (700 1/2 Elk Avenue, Kane, PA 16735) plan approval for modification of existing plan approval language regarding pH limits for the scrubber control device at the Kane facility in the Borough of Kane, **McKean County**.

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**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.**

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

**40-318-056: Quality Collision, Inc.** (701 Route 309, Dallas, PA 18612) for construction of two paint spray booths and curing chamber, with the associated air cleaning devices, at 365 Courtdale Avenue, Courtdale Borough, **Luzerne County**. This facility is a non-Title V facility. The VOC emissions associated with this project will be less than 10 tons per year. The particulate emissions will be less than 0.02 grain per dry standard cubic foot. The company shall comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall comply with 25 Pa. Code § 123.41 for opacity. The company will operate the facility and maintain the processes and air cleaning device systems in accordance with the good engineering practices to assure proper operation of the equipment. The Plan Approval and resulting State-only Operating Permit will contain record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**48-313-098: Elementis Pigments, Inc.** (1525 Wood Avenue, Easton, PA 18042) for construction of an iron oxide repack system and associated fabric collector in Wilson Borough, **Northampton County**. The particulate emissions from the fabric collector will not exceed the Best Available Technology standard of 0.02 grain/dscf (0.83 ton per year total). The Plan Approval and Operating Permit will contain recordkeeping, monitoring, reporting and work practice requirements and emission restrictions designed to keep the facility operating within all

applicable air quality requirements. The facility currently has a Title V Operating Permit No. 48-00018. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

**40-318-055: Silgan Closures** (350 Jaycee Drive, West Hazleton, PA 18202) for an amendment to restrict HAPs emissions in Valmont Industrial Park, Hazle Township, **Luzerne County**. The company currently has a Title V permit number 40-00004. The HAPs from the facility must never exceed 9.9 tpy of any single HAP and must never exceed 24.9 tpy of all aggregated HAPs, based on a 12-month rolling sum. The company shall comply with 25 Pa. Code § 123.31 for malodorous emissions from the facility. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**36-05117A: Dart Container Corp. of PA** (110 Pitney Road, Lancaster, PA 17602-2616) for use of Nos. 4—6 fuel oil in the facility's two existing boilers in East Lampeter Township, **Lancaster County**. The use of the heavier fuel oils is expected to increase the facility's potential-to-emit PM10 by 10 tpy, SOx by 14 tpy and NOx by 59 tpy. The facility's boilers are subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The plan approval and operating permit will include emission restrictions, testing requirements, work practice standards, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**55-399-007A: Kerrico Corp.** (R. R. 1, Box 131H, Selinsgrove, PA 17870) for modification of a cast polymer bathroom and kitchen countertop manufacturing operation in Penn Township, **Snyder County**.

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

The respective modifications consist of using methylene chloride, a HAP which Kerrico is currently not permitted to use, for certain select cleaning operations and increasing the amount of acetone used for cleaning purposes. Kerrico has also requested approval to use pigmented gelcoats in addition to the clear gelcoats and white/off-white gelcoats which were previously approved by the Department of Environmental Protection (Department). The use of methylene chloride is expected to result in an increase of up to 1.43 tons per year in the amount of HAPs emitted by the facility. The increase in acetone usage is expected to result in an increase of up to 5.0 tons per year in the amount of acetone emitted by the facility. The use of pigmented gelcoats in addition to clear gelcoats and white/off-white gelcoats is not expected to result in an increase in the emission of any air contaminant.

The Department's review of the information submitted by Kerrico Corporation indicates that the use of methylene chloride for certain select cleaning operations, the increased usage of acetone and the use of pigmented gelcoats should comply with all applicable regulatory



requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12 and the requirements of Subpart WWWW of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63.5780—63.5935 (National Emission Standards for Hazardous Air Pollutants; Reinforced Plastic Composites Production). Based on this finding, the Department proposes to issue plan approval for the proposed modifications.

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

1. Conditions contained in Plan Approval 55-399-007 remain in effect unless superseded or amended by a condition contained herein. If there is a conflict between a condition contained in Plan Approval 55-399-007 and a condition contained herein, the permittee shall comply with the condition contained herein rather than the conflicting condition contained in Plan Approval 55-399-007.

2. Pigmented gelcoats applied in this facility shall be applied in conformance with all conditions contained in Plan Approval 55-399-007 which have applicability to gelcoats except as specified herein.

3. "Clear gelcoats," "white/off-white gelcoats" and "pigmented gelcoats" (as those terms are defined in Subpart WWWW) are the only gelcoats that shall be applied at this facility. The clear gelcoats shall contain no more than 44% VOCs (by weight) and no more than 44% volatile HAPs (by weight). The white/off-white gelcoats shall contain no more than 30% VOCs (by weight) and no more than 30% volatile HAPs (by weight). The pigmented gelcoats shall contain no more than 31% VOCs (by weight) and no more than 31% volatile HAPs (by weight).

4. Methylene chloride may be used to clean cured resin from the mixing cylinder and associated auger incorporated in the Respecta DB-11/10-20 continuous casting machine but shall not be used anywhere else in the facility for any purpose.

5. The total combined facility-wide emission of methylene chloride shall not exceed 1.43 tons in any 12-consecutive month period.

6. The total combined facility-wide emission of acetone shall not exceed 10.0 tons in any 12-consecutive month period.

7. The total combined facility-wide emission of volatile HAPs shall not exceed 37.55 tons in any 12-consecutive month period and the total combined facility-wide emission of VOCs shall not exceed 38.53 tons in any 12-consecutive month period.

**49-00020B: Truck Accessories Group, Inc., d/b/a Leer East** (3560 Housels Run Road, Milton, PA 17847) for construction of a mold maintenance area, a wet-out reinforcement area, a secondary lamination area, a base rail lamination area, a truck cap and tonneau cover headliner adhesive process, fiberglass reinforced plastic truck cap and tonneau cover assembly and final finish operations, an aluminum welding operation and an aluminum truck cap assembly, final finish and installation operation in an existing fiberglass reinforced plastic and aluminum truck cap manufacturing facility in Milton Borough, **Northumberland County**.

The respective facility is a major facility for both VOCs and HAPs and one for which a Title V operating permit (49-00020) has been issued.

The operation of the proposed air contamination sources, all of which actually already exist onsite, will result in the emission of up to 34,883 tons of VOCs, 25.71 tons of volatile HAPs (most of which will be styrene), 1.284 tons of PM including PM10 or less, also known as PM10 and .62 ton of metallic HAPs, 4.8 tons of acetone and .49 ton of ammonia per year.

The Department of Environmental Protection's (Department) review of the information submitted by Truck Accessories Group, Inc. indicates that the proposed air contamination sources should comply with all Air Quality requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, the New Source Review requirements of 25 Pa. Code §§ 127.2011—27.217, the Reasonably Available Control Technology requirements of 25 Pa. Code §§ 129.91—129.95 and Subpart WWWW of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63.5780—63.5935 (National Emission Standards for Hazardous Air Pollutants; Reinforced Plastic Composites Production). Based on this finding, the Department to issue plan approval for the construction of the proposed air contamination sources. Additionally, if the Department subsequently determines that the respective air contamination sources are being operated and maintained in accordance with the conditions of the plan approval as well as with all applicable regulatory requirements, the conditions established in the plan approval will be incorporated into Title V Operating Permit 49-00020 by means of administrative amendment in accordance with 25 Pa. Code § 127.450.

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

1. The VOC contents of the 3m flowable finishing putty, 3m short strand fiberglass reinforce filler, axel xtend 802, axel xtend cx-500, cook composites hq retention green tooling gelcoat, alpha/owens corning polyester resin solution in styrene and Sherwin-Williams/Krylon Ultra Flat Black Aerosol marking paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the mold maintenance area shall not exceed 1.84, 2.72, 6.03, 7.01, 4.30, 2.94 and 3.45 pounds per gallon, respectively. No other VOC-containing materials shall be used in this area.

2. The volatile HAP contents of the 3M Flowable Finishing Putty, 3M Short Strand Fiberglass Reinforce Filler, Axel Xtend CX-500, Cook Composites HQ Retention Green Tooling Gelcoat, Alpha/Owens Corning Polyester Resin Solution in Styrene and Sherwin-Williams/Krylon Ultra Flat Black Aerosol Marking Paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the mold maintenance area shall not exceed 1.84, 2.72, 7.01, 4.30, 2.94 and .59 pounds per gallon, respectively. No other volatile HAP-containing materials shall be used in this area.

3. The combined styrene and methyl methacrylate content of the Alpha/Owens Corning Polyester Resin Solution in Styrene (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the mold maintenance area shall not exceed 32% by weight (weighted average over any 12 consecutive month period with a maximum of 35% by weight for any single shipment received). The

styrene content of the 3M Flowable Finishing Putty and 3M Short Strand Fiberglass Reinforce Filler (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the mold maintenance area shall not exceed 20% by weight, and 43% by weight for the Cook Composites HQ Retention Green Tooling Gelcoat (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential). No other styrene-containing materials shall be used in this area.

4. The VOC, volatile HAP and PM emissions from the mold maintenance area shall not exceed 1.08, .33 and .00245 tons in any 12-consecutive month period, respectively.

5. Materials other than Sherwin-Williams/Krylon Ultra Flat Black Aerosol Marking Paint applied in the mold maintenance area shall be applied by hand only and all containers of materials shall be kept closed except when material is being removed from or introduced into the container.

6. Records shall be maintained of the amounts, VOC contents, volatile HAP contents, styrene contents and methyl methacrylate contents of the materials used in the mold maintenance area each month as well as of the total VOC and total volatile HAP emissions from the area and the weighted 12-consecutive month average combined styrene and methyl methacrylate content of the Alpha/Owens Corning Polyester Resin Solution in Styrene. This data shall be reported to the Department on a quarterly basis.

7. The neat resin used in the wet-out reinforcement area, secondary lamination area and base rail lamination area shall have a combined styrene and methyl methacrylate content of no greater than 32% by weight (weighted average over any 12-consecutive month period with a maximum of 35% by weight for any single shipment received) as well as a vapor suppressant factor of at least .05 and shall be applied using nonatomized resin application technology (as defined in condition 47 herein). No other volatile HAP-containing materials shall be used in these areas. No other VOC-containing materials shall be used in these areas other than ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) and, in the base rail lamination area only, Xtend 19SAM with a VOC content no greater than 5.71 pounds per gallon (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

8. The total combined amount of neat resin used in the wet-out reinforcement area, secondary lamination area and base rail lamination area shall not exceed 158,199 gallons in any 12-consecutive month period, except as may be allowed by condition 46 herein, and the total combined VOC emissions shall not exceed 26.2 tons in any 12-consecutive month period (excluding those from the use of cleanup solvent).

9. The total combined volatile HAP emissions from the wet-out reinforcement area, secondary lamination area and base rail lamination area shall not exceed 24.31 tons in any 12-consecutive month period.

10. The amount of Xtend 19SAM (or alternative material determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the base rail lamination area shall not exceed 660 gallons in any 12-consecutive month period, except as may be allowed by condition 46 herein.

11. The volatile HAP emissions from the wet-out reinforcement area, secondary lamination area and base rail lamination area shall each not exceed 66.94 pounds per ton of neat resin (weighted average over 12-consecutive months). Records shall be maintained to demonstrate compliance with this limitation and this data is to be reported to the Department on a quarterly basis.

12. The total combined monthly neat resin usage in the wet-out reinforcement area, secondary lamination area and base rail lamination area may be determined by subtracting the amount of neat resin used in the primary lamination area each month from the total amount of neat resin used in the facility each month. Records shall be maintained of the maximum amount of filled resin delivered in a single pump stroke for the primary lamination area pump, the number of pump strokes occurring in the primary lamination area each month, the total amount of neat resin used in the entire facility each month, the volume percent of resin contained in the filled resin each month, the amount of filled resin used in the primary lamination area each month and the total combined amount of neat resin used in the wet-out reinforcement area, secondary lamination area and base rail lamination area each month.

13. Records shall be maintained of the identities, amounts, VOC contents, volatile HAP contents, styrene contents and methyl methacrylate contents of the neat resin and any other materials used in the wet-out reinforcement area, secondary lamination area and base rail lamination area each month as well as of the total VOC and total volatile HAP emissions from each of these areas and the weighted 12-consecutive month average combined styrene and methyl methacrylate content of the neat resin. This data shall be reported to the Department on a quarterly basis.

14. The VOC contents of the CASA 246-DB adhesive, Quick Clean No. 6 cleanup solvent and Dupont 99K black paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the truck cap and tonneau cover headliner adhesive process shall not exceed .57, 1.32 and 5.3 pounds per gallon, respectively. No other VOC-containing materials shall be used in this process.

15. The volatile HAP contents of the Quick Clean No. 6 cleanup solvent and Dupont 99K black paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the truck cap and tonneau cover headliner adhesive process shall not exceed .58 and 3.68 pounds per gallon, respectively, and the ammonia content of the CASA 246-DB adhesive shall not exceed 1%. No other volatile HAP-containing materials shall be used in this process.

16. The amounts of CASA 246-DB adhesive, quick clean No. 6 cleanup solvent and Dupont 99K black paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the truck cap and tonneau cover headliner adhesive process shall not exceed 12,000, 27 and 30 gallons, respectively, in any 12-consecutive month period, except as may be allowed by condition 46 herein.

17. The VOC emissions from the truck cap and tonneau cover headliner adhesive process shall not exceed 3.52 tons in any 12-consecutive month period.

18. The volatile HAP, ammonia and PM emissions from the truck cap and tonneau cover headliner adhesive process shall not exceed .07, .49 and .28 tons, respectively, in any 12-consecutive month period.

19. Adhesive and paint used in the truck cap and tonneau cover headliner adhesive process shall be applied in either the truck cap headliner adhesive spray booth or the tonneau headliner adhesive spray booth and shall only be applied with high volume low pressure spray equipment (or alternate technology determined by the Department to have an equivalent, or lower, air contaminant emission potential).

20. The truck cap and tonneau headliner adhesive spray booths shall each be equipped with dry filters with a PM removal efficiency of at least 95%.

21. Containers of materials used in the truck cap and tonneau cover headliner adhesive process shall be kept closed except when the material is being removed from or introduced into the container.

22. Records shall be maintained of the amounts, VOC contents, volatile HAP contents and ammonia contents of the materials used in the truck cap and tonneau cover headliner adhesive process each month as well as of the total VOC and total volatile HAP emissions from the process. This data shall be reported to the Department on a quarterly basis.

23. The VOC contents of the 3M Primer 94, 3M Scotch-Grip Industrial Adhesive 4799, Sika Flex 255-FC, Sika Activator, Probond Trite-R-Bond 2287A, Henkel Loctite 262, Tremco Trelglaze SA1100 and WD-40 Nonaerosol (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover assembly operation shall not exceed 6.26, 4.13, .30, 5.6, 7.32, 1.19, .26 and 6.67 pounds per gallon, respectively. No other VOC-containing materials shall be used in this operation other than isopropanol (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

24. The volatile HAP contents of the 3M Primer 94, 3M Scotch-Grip Industrial Adhesive 4799, Sika Flex 255-FC and Probond Trite-R-Bond 2287A (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover assembly operation shall not exceed 2.47, 1.51, .30 and .38 pounds per gallon, respectively. No other volatile HAP-containing materials shall be used in this operation.

25. The VOC and volatile HAP emissions from the fiberglass reinforced plastic truck cap and tonneau cover assembly operation shall not exceed 2.43 and .64 tons in any 12-consecutive month period, respectively.

26. Materials applied in the fiberglass reinforced plastic truck cap and tonneau cover assembly operation shall be applied by hand. Containers of materials shall be kept closed except when material is being removed from or introduced into the container.

27. Records shall be maintained of the amounts, VOC contents and volatile HAP contents of the materials used in the fiberglass reinforced plastic truck cap and tonneau cover assembly operation each month as well as of the total VOC and total volatile HAP emissions from this operation. This data shall be reported to the Department on a quarterly basis.

28. The VOC contents of the 3M Finesse II Finishing Material, 3M Perfect-It III Finishing Glaze, 3M Super Duty Rubbing Compound, 3M General Purpose Adhesive Cleaner and Spartan Chemical Company Glass Cleaner (or alternate materials determined by the Department to

have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall not exceed 1.92, 1.6, 1.91, 6.81 and .91 pounds per gallon, respectively. No other VOC-containing material shall be used in this operation other than ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

29. The volatile HAP content of the 3M General Purpose Adhesive Cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall not exceed 5.16 pounds per gallon. No other volatile HAP-containing materials shall be used in this operation.

30. The VOC, volatile HAP and PM emissions from the fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall not exceed .73, .13 and .0008 tons in any 12-consecutive month period, respectively.

31. The 3M Finesse II Finishing Material, 3M Perfect-It III Finishing Glaze, 3M Super Duty Rubbing Compound and 3M General Purpose Adhesive Cleaner (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall be applied by hand only. Containers of materials shall be kept closed except when material is being removed from or introduced into the container.

32. Records shall be maintained of the amounts, VOC contents and volatile HAP contents of the materials used in the fiberglass reinforced plastic truck cap and tonneau cover final finish operation each month as well as of the total VOC and total volatile HAP emissions from the operation. This data shall be reported to the Department on a quarterly basis.

33. No more than 385,000 pounds of electrodes shall be used in the aluminum welding operation in any 12-consecutive month period.

34. The PM and HAP emissions from the aluminum welding operation shall not exceed 1.0 and .62 tons in any 12-consecutive month period, respectively. The permittee shall maintain records of the amount of electrodes used each month and other records as are necessary to demonstrate compliance with these emission limitations.

35. The VOC contents of the 3M Primer 94, Sika Flex 255-FC, Sika Activator, Henkel Loctite 262, Spartan Chemical Company Glass Cleaner and WD-40 Nonaerosol (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the aluminum truck cap assembly, final finish and installation operation shall not exceed 6.26, .30, 5.6, 1.19, .91 and 6.67 pounds per gallon, respectively. No other VOC-containing materials shall be used in this operation other than isopropanol and mineral spirits (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential).

36. The volatile HAP contents of 3M Primer 94 and Sika Flex 255-FC (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the aluminum truck cap assembly, final finish and installation operation

shall not exceed 2.47 and .30 pounds per gallon, respectively. No other volatile HAP-containing materials shall be used in this operation.

37. The VOC, volatile HAP and PM emissions from the aluminum truck cap assembly, final finish and installation operation shall not exceed .91, .23 and .00025 tons in any 12-consecutive month period, respectively.

38. The 3M Primer 94, Sika Flex 255-FC, Sika Activator, Henkel Loctite 262 and WD-40 Nonaerosol (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the aluminum truck cap assembly, final finish and installation operation shall be applied by hand only. Containers of materials shall be kept closed except when material is being removed from or introduced into the container.

39. Records shall be maintained of the amounts, VOC contents and volatile HAP contents of the materials used in the aluminum truck cap assembly, final finish and installation operation each month as well as of the total VOC and total volatile HAP emissions from the operation. This data shall be reported to the Department on a quarterly basis.

40. The only cleanup solvent to be used in the mold maintenance area is acetone. The only cleanup solvents to be used in the wet-out reinforcement area, secondary lamination area and base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall be acetone and ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

41. Condition No. 002 of Source ID P101 (gelcoat and primary lamination operation) of Title V Operating Permit 49-00020 is hereby modified to state that the combined VOC emissions from the gelcoat and primary lamination operations shall not exceed 52.75 tons in any 12-consecutive month period.

42. No more than a combined total of 1,455 gallons of acetone may be used in Source ID P101, the mold maintenance area, wet-out reinforcement area, secondary lamination area, base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation in any 12-consecutive month period nor shall the combined acetone emissions from these areas exceed 4.8 tons in any 12-consecutive month period.

43. Records shall be maintained of the total combined amount of acetone used in Source ID P101, the mold maintenance area, wet-out reinforcement area, secondary lamination area, base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation each month as well as of the amount of 100% acetone removed from these areas and shipped offsite in liquid form. This data shall be submitted to the Department on a quarterly basis.

44. The total combined amount of ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in Source P101, the wet-out reinforcement area, secondary lamination area, base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall not exceed 1,000 gallons in any 12-consecutive month period, except as may be allowed by condition 46 herein, and shall not result in the emission of more than 26 pounds of VOCs in any 12-consecutive month period. The vapor pressure of the ISP Technologies Shipshape-resin

cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) shall not exceed .29 mm Hg (millimeters of mercury) at 20°C.

45. Records shall be maintained of the amount and vapor pressure of the ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in Source P101, the wet-out reinforcement area, secondary lamination area, base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation each month as well as the total combined amount of VOCs emitted from its use and the amount of 100% ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) removed from these areas and shipped offsite in liquid form. This data shall be reported to the Department on a quarterly basis.

46. In cases where a material substitution has been made and an alternate material is employed which has a lower air contaminant emission potential than the original material, as determined by the Department, the permittee may use more of the respective material in a 12-consecutive month period than they may be limited to under a material usage limitation contained herein provided the resultant emissions of VOCs, volatile HAPs, styrene and any other air contaminants do not exceed any applicable (12-consecutive month) emission limitation contained herein.

47. "Nonatomized Resin Application Technology", as that term is used herein, is defined as a resin application system in which resin flows from the applicator in a steady and observable coherent flow without visible droplets for a minimum distance of 3 inches from the application orifices and which results in a volatile HAP emission rate which is no greater than that predicted by the use of the applicable nonatomized application equations contained in Table 1 of Subpart WWWW of the National Emission Standards For Hazardous Air Pollutants, 40 CFR 63.5780—63.5935.

48. The height of the existing gelcoat booth No. 1 stack, the existing gelcoat booth No. 2 stack and the existing lamination booth stack shall be increased to 37.25, 37.25 and 34.75 feet above grade, respectively.

49. Condition No. 005 of Source P101 (gelcoat and primary lamination operations) of Title V Operating Permit 49-00020 is hereby modified to allow the use of ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

50. The permittee must obtain 80.07 tons of VOC emission reduction credits.

51. The mold maintenance area, wet-out reinforcement area, secondary lamination area and base rail lamination area are subject to Subpart WWWW of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63.5780—63.5935 (National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production).

The mold maintenance area, wet-out reinforcement area, secondary lamination area, truck cap and tonneau cover headliner adhesive process, fiberglass reinforced plastic and truck cap and tonneau assembly and final finish operations, aluminum welding operation and aluminum truck cap assembly, final finish and installation operation are subject to the Reasonably Available Control

Technology (RACT) requirements of 25 Pa. Code §§ 129.91—129.95. The Department of Environmental Protection has made a preliminary determination to approve the RACT plan submitted by Truck Accessories Group, Inc. for these air contamination sources.

This preliminary RACT determination, if approved, will be submitted to the United States Environmental Protection Agency (EPA) as a revision to the State Implementation Plan (SIP). The SIP revision will not adopt any new regulations. It will contain the requirements established by the Department in its approval of the RACT plan. Conditions 1, 3, 5—8, 12—14, 16, 17, 19, 21—23, 25—28, 31, 32, 35, 38—41, 44—47 and 49 above, either in whole or in part, contain the Department's preliminary RACT determination for the respective air contamination sources.

A copy of the plan approval application, including the RACT plan, is available for public inspection during normal business hours at the address listed below. Persons interested in inspecting the application must schedule an appointment in advance.

A public hearing will be held solely for the purpose of receiving comments on the Department's RACT determination and associated proposed SIP revision. The Department will not be entertaining comments regarding any other aspect of the respective plan approval application or the Department's review of said application at this hearing. The hearing will be held on August 15, 2006, at 1 p.m. at the Department of Environmental Protection's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. The public is invited to appear at this public hearing and comment on the Department's preliminary RACT determination and proposed SIP revision.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (570) 327-3659 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the testimony are also requested. Each organization is requested to designate one individual to present testimony on its behalf.

Persons with a disability who wish to comment at the hearing and require auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (570) 327-3659 to discuss how the Department may accommodate your needs.

Persons unable to attend the hearing, but wish to comment on the Department's preliminary RACT determination and proposed SIP revision or persons who have comments which they believe should be considered in the Department's review of any other aspect of the respective plan approval application or persons who wishes to protest the issuance of plan approval may do so by submitting their comments or protests in writing to the Department at the address listed as follows. Comments or protests must be received by the Department by no later than August 30, 2006, to be considered. Each protest or comment should include the following: name, address and telephone number of the person submitting the protest or comment and a concise statement explaining the relevancy of the comment or protest being presented to the Department.

The Department may hold an additional public hearing to solicit comments on issues and concerns, other than the Department's preliminary RACT determination and proposed SIP revision, pertaining to the respective plan

approval application and the Department's review thereof if the Department, in its discretion, decides a hearing is warranted based on the information received. Persons requesting a hearing, protesting the issuance of plan approval or submitting comments will be notified of the decision to hold an additional public hearing by publication in a newspaper of general circulation in the Milton area or by letter or telephone if the Department feels that telephone notification is sufficient.

Written comments, protests or requests for additional public hearing should be directed to David W. Aldenderfer, Environmental Program Manager, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

For additional information regarding the respective plan approval application, contact Richard L. Maxwell, Jr., Chief, New Source Review Section, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3640.

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

**04-00725A: Pennsylvania Biodiesel, Inc.** (759 Northgate Circle, New Castle, PA 16105) for construction and operation of a new biodiesel manufacturing plant in Potter Township, **Beaver County**.

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

**10-001J: AK Steel Corporation** (Route 8 South, Butler, PA 16003-0832) for modification to an existing Electric Arc Furnace (EAF) in Meadville, **Clarion County**.

Notice is hereby given under 25 Pa. Code §§ 127.44, 127.521 and 40 CFR 52.21 (1)(2), that the Department of Environmental Protection (Department) is soliciting comments on the proposed Air Quality Plan Approval for AK Steel Corporation to modify existing EAF sources at AK Steel Corporation. This modification will allow the three EAFs to increase production from 1.2 million tons to 1.31 million tons of steel per year.

AK Steel has filed an application with the Department (230 Chestnut Street, Meadville, PA 16335) to modify three EAFs. The project includes installation of combination side-wall burners/lances on all three EAFs. These burners, which are produced by a variety of manufacturers, are capable of firing a mixture of gas/oxygen, pure oxygen or inert gas from either traditional burner ports or as a supersonic coherent jet. The side-wall burners will use natural gas during the initial melting phase. The lances will inject carbon and oxygen during the melting and refining stages of the steel making process.

Applicable requirements for the proposed application include the Prevention of Significant Deterioration (PSD) regulations (40 CFR 52.21). This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

Based on the information provided by the applicant and Department's own analysis, the proposed modifications to the EAFs would emit: NO<sub>x</sub> 351.4 tpy; CO 3484.7 tpy; VOCs 39.2 tpy; SO<sub>x</sub> 66.5 tpy; PM less than 10 $\mu$ m, 165.7 tpy; and, Total Suspended Particulates, 165.7 tpy. Based on the information provided by the applicant and Department's own analysis, the proposed modifications to the

EAFs will have a net emission increase of: NOx 9.4 tpy; CO 2638.6 tpy; VOCs 23.6 tpy; SOx 34.5 tpy; PM less than 10  $\mu\text{m}$  9.2 tpy; and, Total Suspended Particulates 16.8 tpy.

According to 40 CFR 52.21(l)(2), an alternative to the air quality models specified in 40 CFR Part 51, Appendix W (relating to Guideline on Air Quality Models) may be used to model air quality if the United States Environmental Protection Agency (EPA) approves the substitute model. Use of the substitute model is subject to notice and an opportunity for public comment.

As an alternative to EPA Guideline Models, ISC-Prime was used in the air quality analysis for the proposed EAF project. Specific approval for the use of ISC-Prime in this analysis was granted by the EPA Region III Administration on October 18, 2005. Under 25 Pa. Code §§ 127.44, 127.83 and 40 CFR 52.21(l)(2) and (q), notice is hereby given that the Department is soliciting written comments on the use of the ISC-Prime, non-guideline model.

The Department has determined that the application reflects the use of Best Available Control Technology, as required by the PSD regulations. The facility will only trigger PSD for CO. The preliminary analysis results for CO indicate 11,429  $\mu\text{m}^3$  for a 1-hour averaging period and 8,000  $\mu\text{g}/\text{m}^3$  for an 8-hour averaging period. The Class II Area Significance Level is 2000  $\mu\text{g}/\text{m}^3$  for a 1-hour averaging period and 500  $\mu\text{g}/\text{m}^3$  for an 8-hour averaging period.

The results of the NAAQS analysis for CO indicates a total value of 13,693  $\mu\text{g}/\text{m}^3$  for a rural 1-hour averaging period and a total value of 9,963  $\mu\text{g}/\text{m}^3$  for a rural 8-hour averaging period. The NAAQS for a rural 1-hour averaging period is 40,000  $\mu\text{g}/\text{m}^3$  and a rural 8-hour averaging period is 10,000  $\mu\text{g}/\text{m}^3$ .

No visibility impairment analysis was performed since CO is not associated with degradation in visibility. No significant impact on soils and vegetation is anticipated. There is no expected impact on air quality from residential, commercial, and industrial growth associated with the project. There is no consumption of increment, because there is no increment for CO.

Sources subject to PSD regulations must meet certain conditions prior to the issuance of a preconstruction/modification approval. These conditions are briefly described below. For exact text, please refer to the 40 CFR 52.21.

#### *Conditions*

The following conditions apply to the melt shop, including EAF Nos. 2—4:

1. Total allowable emission limits for the Baghouse No. 3 are given as follows:

a) Total allowable particulate emission concentration is 0.0036 gr/dscf

b) Total allowable particulate emission rate of 29.9 lb/hr

c) 8-hour maximum CO emission rate of 695 lb/hr

2. Total allowable emission limits from the Baghouse No. 3 are calculated as a 12-month rolling sum:

a) PM/PM10—130.8 ton per year

b) CO—3,046 tons per year

The Department reserves the right to establish and impose more stringent limitations based on stack test results.

a) NOx—328.5 tons per year

b) SOx (Measured as SO<sub>2</sub>)—66.5 tons per year

c) VOC—39.2 tons per year

3. Total allowable emission limits for the Melt Shop (combined emissions from No. 3 Baghouse and No. 1/2 Baghouse) are calculated as a twelve-month rolling sum:

a) PM/PM10—165.7 ton per year

b) CO—3,485 tons per year

The Department reserves the right to establish and impose more stringent limitations based on stack test results.

a) NOx—354.1 tons per year

b) SOx (Measured as SO<sub>2</sub>)—66.5 tons per year

c) VOC—39.2 tons per year

4. The capture efficiency from the Nos. 2—4 EAFs Direct Evacuation Control duct shall be at least 90%.

5. Total allowable particulate emission concentration for the Baghouse No. 1/2 is 0.04 gr/dscf.

6. a) The permittee shall limit the total steel production from electric arc furnace Nos. 2—4 combined so as not to exceed 1,310,000 tpy based on a consecutive 12-month period.

b) The permittee shall limit the total steel production from electric arc furnaces Nos. 2—4 combined so as not to exceed 210 ton per hour based on a consecutive 24-hour period.

7. a) Within 60 days after achieving maximum production at which the affected facility will be affected but not later than 180 days after issuance of the plan approval, a stack test shall be performed in accordance with the provisions of 25 Pa. Code Chapter 139 and the most current edition of the Department's "Source Testing Manual" for CO, PM, NOx, SOx (Measured as SO<sub>2</sub>) and VOC emissions concurrently from Baghouse No. 3 and Baghouse No. 1/2. Stack tests must be conducted at 90% of 210 ton per hour (189 ton per hour) or the permitted maximum production allowed will become the production rate plus 10% or the production rate recorded during the most recent compliant stack testing. The stack test shall consist of three 8 hour stack tests when all permitted air pollution sources are operating at a maximum or normal rated capacity. The results, of the first three stack tests performed in accordance with the approved protocol, shall be averaged and compared with the emission limitation to show compliance.

b) At least 60 days prior to performing a stack test, three copies of a protocol shall be submitted in accordance with the provisions of 25 Pa. Code Chapter 139. The protocol shall contain, at a minimum: location of sampling ports, planned production rates, % sulfur in coke added to EAFs, amount of coke added to EAFs and amount of oxygen injected during refining phase, type of steel produced and any other information applicable to the stack testing. Performance of a stack test prior to Department approval of the protocol may invalidate the results.

c) At least 2 weeks prior to the test, the Department shall be informed, in writing, of the date and time of the test.

d) Within 60 days after completion of stack testing, three copies of the complete test report, including, but not limited to, production rates during testing, % sulfur in coke added to EAFs, amount of coke added to EAFs and amount of oxygen injected during refining phase, type of

steel produced, calculation methods and results, and any other applicable testing information that will allow for complete review of the test and results, shall be submitted to the Department for approval.

e) Actions Related to Noncompliance Demonstrated by a Stack Test:

i) If the results of a stack test, performed as required by this approval, exceed the level specified in any condition of this approval, the Permittee shall take appropriate corrective actions. Within 30 days of the Permittee receiving the stack test results, a written description of the corrective actions shall be submitted to the Department. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. The Department shall notify the Permittee within 30 days, if the corrective actions taken are deficient. Within 30 days of receipt of the notice of deficiency, the Permittee shall submit a description of additional corrective actions to the Department. The Department reserves the authority to use enforcement activities to resolve noncompliant stack tests.

ii) If the results of the required stack test exceed any limit defined in this plan approval, the test was not performed in accordance with the stack test protocol or the source and/or air cleaning device was not operated in accordance with the plan approval, then another stack test shall be performed to determine compliance. Within 120 days of the Permittee receiving the original stack test results, a retest shall be performed. The Department may extend the retesting deadline if the Permittee demonstrates, to the Department's satisfaction, that retesting within 120 days is not practicable. Failure of the second test to demonstrate compliance with the limits in the plan approval, not performing the test in accordance with the stack test protocol or not operating the source and/or air cleaning device in accordance with the plan approval may be grounds for immediate revocation of the plan approval to operate the affected source.

8. Stack tests for determining emissions of PM from stationary sources shall conform with the following:

a) Test methods for particulate emissions shall include dry filters and provide for at least a 95% collection efficiency of PM.

b) Isokinetic sampling procedures shall be used in sampling for PM emissions and the weights of soluble and insoluble particulate determined gravimetrically after the removal of uncombined water.

c) Test methods and procedures shall be equivalent to those specified in 25 Pa. Code § 139.4(5) (relating to references). The equipment shall be inert where appropriate and similar to that specified in 25 Pa. Code § 139.4(1).

d) The minimum sampling time shall be one hour and the minimum sample volume shall be 50 cubic feet or as specified in an applicable standard or by the Department, corrected to standard conditions (dry basis).

e) Results shall be calculated based upon sample train component weights specified in 25 Pa. Code § 139.4(5). Results shall be reported as pounds of PM per hour and in accordance with the units specified in 25 Pa. Code §§ 123.11—123.13 (relating to particulate matter emissions).

9. An annual stack test shall be performed on No. 3 Baghouse to demonstrate compliance with the CO emission rate of 695 pounds per hour. The stack test shall consist of three eight hour stack tests utilizing a Depart-

ment approved method. The results of the stack tests shall be averaged and compared with the emission limitation to show compliance. This stack test shall be performed in accordance with Conditions 7(a)—(c)

10. The Department reserves the right to require stack testing to verify that the capture efficiency from the Nos. 3 and 4 EAF Direct Evacuation Control duct. The company shall conduct Method 5 particulate testing in the following locations:

a) No. 3 or No. 4 Direct Evacuation System ductwork

b) No. 3 or No. 4 Primary canopy hood system ductwork

A mass emission rate shall be determined from each location. The ratio of the mass emission rate from the Direct Evacuation System to the primary capture system, multiplied by 0.99 shall be greater than or equal to 5.68.

11. The permittee shall monitor the emissions of PM10 that could increase as a result of the project and that are emitted by Baghouse Nos. 3 and 1/2. The monitoring shall include annual PM10 stack testing for a period of ten years. The stack test shall consist of three 8 hour stack tests utilizing a Department approved method.

12. a) The permittee shall maintain, monthly, records of total carbon steel production and total stainless steel production from electric arc furnaces Nos. 2—4.

b) The permittee shall maintain daily records of total steel production from electric arc furnaces Nos. 2—4.

c) The permittee shall maintain records of rates and total coke injection and oxygen injection during the refining stage for each heat.

d) The permittee shall maintain records of sulfur content of each coke shipment.

e) Records shall be maintained for 5 years and made available to the Department upon request.

13. The permittee shall submit a report to the Department within 60 days after the end of each year during which records must be generated under 40 CFR 52.21(r)(6)(iii) indicating Baghouse Nos. 3 and 1/2 annual emissions during the calendar year that preceded submission of the report. The report shall also include the baseline actual emissions as defined in 40 CFR 52.21(b)(48)(i) and as identified in the plan approval application. In addition, the report shall include the comparison (net change) of the baseline actual emissions and the projected actual emissions, and the major modification thresholds for all of the regulated NSR pollutants (as defined in 40 CFR 52.21(b)(50)). The report shall be submitted to John F. Guth, Regional Air Quality Manager, 230 Chestnut Street, Meadville, PA 16335.

14. If the results of stack testing required by 40 CFR 60.14 indicate an increase in PM at the Baghouse Nos. 3 or 1/2, as a result of the modifications to the electric arc furnaces, the facility must comply with 40 CFR 60 Subpart AA—Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon—Oxygen Decarburization Vessels Constructed After August 17, 1983.

15. The facility shall continue to comply with the existing Site Level requirements of the Title V Operating Permit. The facility shall continue to comply with the existing Source Level requirements of the Title V Operating Permit unless the condition is specifically changed in this Plan Approval for the following sources: 102 Electric Arc Furnace No. 2, 103 Electric Arc Furnace No. 3, 104 Electric Arc Furnace No. 4, 136 AOD Reactor, 140 Continuous Caster No. 2, 141 Continuous Caster No. 3, 142 Vacuum Degas, 149 Argon Stirring Station (EAST),

247 Ladle Preheater No. 1, 248 Ladle Preheater No. 2, 249 Ladle Preheater No. 3, 250 Ladle Preheater No. 4, 251 Ladle Preheater No. 5 and 252 Ladle Preheater No. 6.

The Department has made a preliminary determination to approve the plans submitted by AK Steel Corporation subject to the conditions listed previously. A final determination will be made based on any additional inputs received.

The Department will consider any written comments received within 30 days of the publication of this notice. Persons may oppose this preliminary determination by filing a written notice with the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335, Attn.: John Guth, Regional Air Program Manager.

Each protest shall include the following:

1. Name, address and telephone number of the person filing each protest.
2. Identification of the proposed plan approval issuance being opposed (10-001J).
3. Concise statement of the reasons for objection to the issuance of the plan approval and the relevant facts upon which the objections are based.

Copies of the application and the modeling analysis used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 pm. at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA. Appointments for scheduling a review may be made by calling Linda Conway at (814) 332-6340.

If sufficient public interest is generated, the Department, prior to the issuance of the plan approval, may in its discretion, hold a public meeting or fact-finding conference, at which time any person may appear and give testimony. If it is decided to hold a public hearing, then a notice to this effect shall be published in the local newspaper giving the place and time of the hearing.

For any additional information contact George Monasky, P.E. or John Guth at (814) 332-6940 or by writing the Department at the Meadville previous address.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting the Department, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate your needs.

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### PUBLIC HEARINGS

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

**49-00020B: Truck Accessories Group, Inc. d/b/a Leer East** (3560 Housels Run Road, Milton, PA 17847) for construction of a mold maintenance area, a wet-out reinforcement area, a secondary lamination area, a base rail lamination area, a truck cap and tonneau cover headliner adhesive process, fiberglass reinforced plastic truck cap and tonneau cover assembly and final finish operations, an aluminum welding operation and an aluminum truck cap assembly, final finish and installation operation in an existing fiberglass reinforced plastic and aluminum truck cap manufacturing facility in Milton Borough, **Northumberland County**.

The respective facility is a major facility for both VOCs and volatile HAPs and one for which a Title V operating permit (49-00020) has been issued.

The operation of the proposed air contamination sources, all of which actually already exist onsite, will result in the emission of up to 34.883 tons of VOCs, 25.71 tons of volatile HAPs (most of which will be styrene), 1.284 tons of PM including PM10 and .62 ton of metallic HAPs), 4.8 tons of acetone and .49 ton of ammonia per year.

The Department of Environmental Protection's (Department) review of the information submitted by Truck Accessories Group, Inc. indicates that the proposed air contamination sources should comply with all Air Quality requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, the New Source Review requirements of 25 Pa. Code §§ 127.201—127.217, the Reasonably Available Control Technology requirements of 25 Pa. Code §§ 129.91—129.95 and Subpart WWWW of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63.5780—63.5935 (National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production). Based on this finding, the Department proposes to issue plan approval for the construction of the proposed air contamination sources. Additionally, if the Department subsequently determines that the respective air contamination sources are being operated and maintained in accordance with the conditions of the plan approval as well as with all applicable regulatory requirements, the conditions established in the plan approval will be incorporated into Title V Operating Permit 49-00020 by means of administrative amendment in accordance with 25 Pa. Code § 127.450.

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

1. The VOC contents of the 3M flowable finishing putty, 3M short strand fiberglass reinforce filler, axel xtend 802, Axel Xtend CX-500, cook composites HQ retention green tooling gelcoat, Alpha/Owens Corning polyester resin solution in styrene and Sherwin-Williams/krylon ultra flat black aerosol marking paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the mold maintenance area shall not exceed 1.84, 2.72, 6.03, 7.01, 4.30, 2.94 and 3.45 pounds per gallon, respectively. No other VOC-containing materials shall be used in this area.

2. The volatile HAP contents of the 3M Flowable Finishing Putty, 3M Short Strand Fiberglass Reinforce Filler, Axel Xtend CX-500, Cook Composites HQ Retention Green Tooling Gelcoat, Alpha/Owens Corning Polyester Resin Solution in Styrene and Sherwin-Williams/Krylon Ultra Flat Black Aerosol Marking Paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the mold maintenance area shall not exceed 1.84, 2.72, 7.01, 4.30, 2.94 and .59 pound per gallon, respectively. No other volatile HAP-containing materials shall be used in this area.

3. The combined styrene and methyl methacrylate content of the Alpha/Owens Corning Polyester Resin Solution in Styrene (or alternate material determined by the Department to have an equivalent, or lower, air contami-



nant emission potential) used in the mold maintenance area shall not exceed 32% by weight (weighted average over any 12-consecutive month period with a maximum of 35% by weight for any single shipment received). The styrene content of the 3M Flowable Finishing Putty and 3M Short Strand Fiberglass Reinforce Filler (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the mold maintenance area shall not exceed 20% by weight, and 43% by weight for the Cook Composites HQ Retention Green Tooling Gelcoat (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential). No other styrene-containing materials shall be used in this area.

4. The VOC, volatile HAP and PM emissions from the mold maintenance area shall not exceed 1.08, .33 and .00245 tons in any 12-consecutive month period, respectively.

5. Materials other than Sherwin-Williams/Krylon Ultra Flat Black Aerosol Marking Paint applied in the mold maintenance area shall be applied by hand only and all containers of materials shall be kept closed except when material is being removed from or introduced into the container.

6. Records shall be maintained of the amounts, VOC contents, volatile HAP contents, styrene contents and methyl methacrylate contents of the materials used in the mold maintenance area each month as well as of the total VOC and total volatile HAP emissions from the area and the weighted 12-consecutive month average combined styrene and methyl methacrylate content of the Alpha/Owens Corning Polyester Resin Solution in Styrene. This data shall be reported to the Department on a quarterly basis.

7. The neat resin used in the wet-out reinforcement area, secondary lamination area and base rail lamination area shall have a combined styrene and methyl methacrylate content of no greater than 32% by weight (weighted average over any 12-consecutive month period with a maximum of 35% by weight for any single shipment received) as well as a vapor suppressant factor of at least .05 and shall be applied using nonatomized resin application technology (as defined in condition 47 herein). No other volatile HAP-containing materials shall be used in these areas. No other VOC-containing materials shall be used in these areas other than ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) and, in the base rail lamination area only, Xtend 19SAM with a VOC content no greater than 5.71 pounds per gallon (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

8. The total combined amount of neat resin used in the wet-out reinforcement area, secondary lamination area and base rail lamination area shall not exceed 158,199 gallons in any 12-consecutive month period, except as may be allowed by condition 46 herein, and the total combined VOC emissions shall not exceed 26.2 tons in any 12-consecutive month period (excluding those from the use of cleanup solvent).

9. The total combined volatile HAP emissions from the wet-out reinforcement area, secondary lamination area and base rail lamination area shall not exceed 24.31 tons in any 12-consecutive month period.

10. The amount of Xtend 19SAM (or alternative material determined by the Department to have an equivalent,

or lower, air contaminant emission potential) used in the base rail lamination area shall not exceed 660 gallons in any 12-consecutive month period, except as may be allowed by condition 46 herein.

11. The volatile HAP emissions from the wet-out reinforcement area, secondary lamination area and base rail lamination area shall each not exceed 66.94 pounds per ton of neat resin (weighted average over 12-consecutive months). Records shall be maintained to demonstrate compliance with this limitation and this data is to be reported to the Department on a quarterly basis.

12. The total combined monthly neat resin usage in the wet-out reinforcement area, secondary lamination area and base rail lamination area may be determined by subtracting the amount of neat resin used in the primary lamination area each month from the total amount of neat resin used in the facility each month. Records shall be maintained of the maximum amount of filled resin delivered in a single pump stroke for the primary lamination area pump, the number of pump strokes occurring in the primary lamination area each month, the total amount of neat resin used in the entire facility each month, the volume percent of resin contained in the filled resin each month, the amount of filled resin used in the primary lamination area each month and the total combined amount of neat resin used in the wet-out reinforcement area, secondary lamination area and base rail lamination area each month.

13. Records shall be maintained of the identities, amounts, VOC contents, volatile HAP contents, styrene contents and methyl methacrylate contents of the neat resin and any other materials used in the wet-out reinforcement area, secondary lamination area and base rail lamination area each month as well as of the total VOC and total volatile HAP emissions from each of these areas and the weighted 12-consecutive month average combined styrene and methyl methacrylate content of the neat resin. This data shall be reported to the Department on a quarterly basis.

14. The VOC contents of the CASA 246-DB adhesive, Quick Clean No. 6 cleanup solvent and Dupont 99K black paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the truck cap and tonneau cover headliner adhesive process shall not exceed .57, 1.32, and 5.3 pounds per gallon, respectively. No other VOC-containing materials shall be used in this process.

15. The volatile HAP contents of the Quick Clean No. 6 cleanup solvent and Dupont 99K black paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the truck cap and tonneau cover headliner adhesive process shall not exceed .58 and 3.68 pounds per gallon, respectively, and the ammonia content of the CASA 246-DB adhesive shall not exceed 1%. No other volatile HAP-containing materials shall be used in this process.

16. The amounts of CASA 246-DB adhesive, Quick Clean No. 6 cleanup solvent and Dupont 99K black paint (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the truck cap and tonneau cover headliner adhesive process shall not exceed 12,000, 27 and 30 gallons, respectively, in any 12-consecutive month period, except as may be allowed by condition 46 herein.

17. The VOC emissions from the truck cap and tonneau cover headliner adhesive process shall not exceed 3.52 tons in any 12-consecutive month period.

18. The volatile HAP, ammonia and PM emissions from the truck cap and tonneau cover headliner adhesive process shall not exceed .07, .49 and .28 tons, respectively, in any 12-consecutive month period.

19. Adhesive and paint used in the truck cap and tonneau cover headliner adhesive process shall be applied in either the truck cap headliner adhesive spray booth or the tonneau headliner adhesive spray booth and shall only be applied with high volume low pressure spray equipment (or alternate technology determined by the Department to have an equivalent, or lower, air contaminant emission potential).

20. The truck cap and tonneau headliner adhesive spray booths shall each be equipped with dry filters with a PM removal efficiency of at least 95%.

21. Containers of materials used in the truck cap and tonneau cover headliner adhesive process shall be kept closed except when the material is being removed from or introduced into the container.

22. Records shall be maintained of the amounts, VOC contents, volatile HAP contents and ammonia contents of the materials used in the truck cap and tonneau cover headliner adhesive process each month as well as of the total VOC and total volatile HAP emissions from the process. This data shall be reported to the Department on a quarterly basis.

23. The VOC contents of the 3M Primer 94, 3M Scotch-Grip Industrial Adhesive 4799, Sika Flex 255-FC, Sika Activator, Probond Trite-R-Bond 2287A, Henkel Loctite 262, Tremco Trelglaze SA1100 and WD-40 Nonaerosol (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover assembly operation shall not exceed 6.26, 4.13, .30, 5.6, 7.32, 1.19, .26 and 6.67 pounds per gallon, respectively. No other VOC-containing materials shall be used in this operation other than isopropanol (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

24. The volatile HAP contents of the 3M Primer 94, 3M Scotch-Grip Industrial Adhesive 4799, Sika Flex 255-FC and Probond Trite-R-Bond 2287A (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover assembly operation shall not exceed 2.47, 1.51, .30 and .38 pounds per gallon, respectively. No other HAP pollutant-containing materials shall be used in this operation.

25. The VOC and volatile HAP emissions from the fiberglass reinforced plastic truck cap and tonneau cover assembly operation shall not exceed 2.43 and .64 tons in any 12-consecutive month period, respectively.

26. Materials applied in the fiberglass reinforced plastic truck cap and tonneau cover assembly operation shall be applied by hand. Containers of materials shall be kept closed except when material is being removed from or introduced into the container.

27. Records shall be maintained of the amounts, VOC contents and volatile HAP contents of the materials used in the fiberglass reinforced plastic truck cap and tonneau cover assembly operation each month as well as of the total VOC and total volatile HAP emissions from this operation. This data shall be reported to the Department on a quarterly basis.

28. The VOC contents of the 3M Finesse II Finishing Material, 3M Perfect-It III Finishing Glaze, 3M Super Duty Rubbing Compound, 3M General Purpose Adhesive Cleaner and Spartan Chemical Company Glass Cleaner (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall not exceed 1.92, 1.6, 1.91, 6.81 and .91 pounds per gallon, respectively. No other VOC-containing material shall be used in this operation other than ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

29. The volatile HAP content of the 3M General Purpose Adhesive Cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall not exceed 5.16 pounds per gallon. No other volatile HAP-containing materials shall be used in this operation.

30. The VOC, volatile HAP and PM emissions from the fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall not exceed .73, .13 and .0008 tons in any 12-consecutive month period, respectively.

31. The 3M Finesse II Finishing Material, 3M Perfect-It III Finishing Glaze, 3M Super Duty Rubbing Compound and 3M General Purpose Adhesive Cleaner (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall be applied by hand only. Containers of materials shall be kept closed except when material is being removed from or introduced into the container.

32. Records shall be maintained of the amounts, VOC contents and volatile HAP contents of the materials used in the fiberglass reinforced plastic truck cap and tonneau cover final finish operation each month as well as of the total VOC and total volatile HAP emissions from the operation. This data shall be reported to the Department on a quarterly basis.

33. No more than 385,000 pounds of electrodes shall be used in the aluminum welding operation in any 12-consecutive month period.

34. The PM and HAP emissions from the aluminum welding operation shall not exceed 1.0 and .62 tons in any 12-consecutive month period, respectively. The permittee shall maintain records of the amount of electrodes used each month and other records as are necessary to demonstrate compliance with these emission limitations.

35. The VOC contents of the 3M Primer 94, Sika Flex 255-FC, Sika Activator, Henkel Loctite 262, Spartan Chemical Company Glass Cleaner and WD-40 Nonaerosol (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the aluminum truck cap assembly, final finish and installation operation shall not exceed 6.26, .30, 5.6, 1.19, .91 and 6.67 pounds per gallon, respectively. No other VOC-containing materials shall be used in this operation other than isopropanol and mineral spirits (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential).

36. The volatile HAP contents of 3M Primer 94 and Sika Flex 255-FC (or alternate materials determined by

the Department to have an equivalent, or lower, air contaminant emission potential) used in the aluminum truck cap assembly, final finish and installation operation shall not exceed 2.47 and .30 pounds per gallon, respectively. No other volatile HAP-containing materials shall be used in this operation.

37. The VOC, volatile HAP and PM emissions from the aluminum truck cap assembly, final finish and installation operation shall not exceed .91, .23 and .00025 tons in any 12-consecutive month period, respectively.

38. The 3M Primer 94, Sika Flex 255-FC, Sika Activator, Henkel Loctite 262 and WD-40 Nonaerosol (or alternate materials determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the aluminum truck cap assembly, final finish and installation operation shall be applied by hand only. Containers of materials shall be kept closed except when material is being removed from or introduced into the container.

39. Records shall be maintained of the amounts, VOC contents and volatile HAP contents of the materials used in the aluminum truck cap assembly, final finish and installation operation each month as well as of the total VOC and total volatile HAP emissions from the operation. This data shall be reported to the Department on a quarterly basis.

40. The only cleanup solvent to be used in the mold maintenance area is acetone. The only cleanup solvents to be used in the wet-out reinforcement area, secondary lamination area and base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall be acetone and ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

41. Condition No. 002 of Source ID P101 (gelcoat and primary lamination operation) of Title V Operating Permit 49-00020 is hereby modified to state that the combined VOC emissions from the gelcoat and primary lamination operations shall not exceed 52.75 tons in any 12-consecutive month period.

42. No more than a combined total of 1,455 gallons of acetone may be used in Source ID P101, the mold maintenance area, wet-out reinforcement area, secondary lamination area, base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation in any 12-consecutive month period nor shall the combined acetone emissions from these areas exceed 4.8 tons in any 12-consecutive month period.

43. Records shall be maintained of the total combined amount of acetone used in Source ID P101, the mold maintenance area, wet-out reinforcement area, secondary lamination area, base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation each month as well as of the amount of 100% acetone removed from these areas and shipped offsite in liquid form. This data shall be submitted to the Department on a quarterly basis.

44. The total combined amount of ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in Source P101, the wet-out reinforcement area, secondary lamination area, base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation shall not exceed 1,000 gallons in any 12-consecutive month period, except as may be allowed by condition 46 herein,

and shall not result in the emission of more than 26 pounds of VOCs in any 12-consecutive month period. The vapor pressure of the ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) shall not exceed .29 mm Hg (millimeters of mercury) at 20°C.

45. Records shall be maintained of the amount and vapor pressure of the ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in Source P101, the wet-out reinforcement area, secondary lamination area, base rail lamination area and fiberglass reinforced plastic truck cap and tonneau cover final finish operation each month as well as the total combined amount of VOCs emitted from its use and the amount of 100% ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) removed from these areas and shipped off-site in liquid form. This data shall be reported to the Department on a quarterly basis.

46. In cases where a material substitution has been made and an alternate material is employed which has a lower air contaminant emission potential than the original material, as determined by the Department, the permittee may use more of the respective material in a 12-consecutive month period than they may be limited to under a material usage limitation contained herein provided the resultant emissions of VOCs, volatile HAPs, styrene and any other air contaminants do not exceed any applicable (12-consecutive month) emission limitation contained herein.

47. "Nonatomized resin application technology," as that term is used herein, is defined as a resin application system in which resin flows from the applicator in a steady and observable coherent flow without visible droplets for a minimum distance of 3 inches from the application orifices and which results in a volatile HAP emission rate which is no greater than that predicted by the use of the applicable nonatomized application equations contained in Table 1 of Subpart WWWW of the National Emission Standards For Hazardous Air Pollutants, 40 CFR 63.5780—63.5935.

48. The height of the existing gelcoat booth No. 1 stack, the existing gelcoat booth No. 2 stack and the existing lamination booth stack shall be increased to 37.25, 37.25 and 34.75 feet above grade, respectively.

49. Condition No. 005 of Source P101 (gelcoat and primary lamination operations) of Title V Operating Permit 49-00020 is hereby modified to allow the use of ISP Technologies Shipshape-resin cleaner (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential).

50. The permittee must obtain 80.07 tons of VOC emission reduction credits.

51. The mold maintenance area, wet-out reinforcement area, secondary lamination area and base rail lamination area are subject to Subpart WWWW of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63.5780—63.5935 (National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production).

The mold maintenance area, wet-out reinforcement area, secondary lamination area, truck cap and tonneau cover headliner adhesive process, fiberglass reinforced plastic and truck cap and tonneau assembly and final

finish operations, aluminum welding operation and aluminum truck cap assembly, final finish and installation operation are subject to the Reasonably Available Control Technology (RACT) requirements of 25 Pa. Code §§ 129.91—129.95. The Department has made a preliminary determination to approve the RACT plan submitted by Truck Accessories Group, Inc. for these air contamination sources.

This preliminary RACT determination, if approved, will be submitted to the Environmental Protection Agency (EPA) as a revision to the State Implementation Plan (SIP). The SIP revision will not adopt any new regulations. It will contain the requirements established by the Department in its approval of the RACT plan. Conditions 1, 3, 5—8, 12—14, 16, 17, 19, 21—23, 25—28, 31, 32, 35, 38—41, 44—47 and 49, either in whole or in part, contain the Department's preliminary RACT determination for the respective air contamination sources.

A copy of the plan approval application, including the RACT plan, is available for public inspection during normal business hours at the address listed. Persons interested in inspecting the application must schedule an appointment in advance.

A public hearing will be held solely for the purpose of receiving comments on the Department's RACT determination and associated proposed SIP revision. The Department will not be entertaining comments regarding any other aspect of the respective plan approval application or the Department's review of said application at this hearing. The hearing will be held on August 15, 2006, at 1 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. The public is invited to appear at this public hearing and comment on the Department's preliminary RACT determination and proposed SIP revision.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (570) 327-3659 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the testimony are also requested. Each organization is requested to designate one individual to present testimony on its behalf.

Persons with a disability who wish to comment at the hearing and require auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (570) 327-3659 to discuss how the Department may accommodate your needs.

Persons unable to attend the hearing, but wish to comment on the Department's preliminary RACT determination and proposed SIP revision or person who has comments which they believe should be considered in the Department's review of any other aspect of the respective plan approval application or persons who wishes to protest the issuance of plan approval may do so by submitting their comments or protests in writing to the Department at the address listed. Comments or protests must be received by the Department by no later than August 30, 2006, to be considered. Each protest or comment should include the following: name, address and telephone number of the person submitting the protest or comment and a concise statement explaining the relevancy of the comment or protest being presented to the Department.

The Department may hold an additional public hearing to solicit comments on issues and concerns, other than the Department's preliminary RACT determination and

proposed SIP revision, pertaining to the respective plan approval application and the Department's review thereof if the Department, in its discretion, decides a hearing is warranted based on the information received. Persons requesting a hearing, protesting the issuance of plan approval or submitting comments will be notified of the decision to hold an additional public hearing by publication in a newspaper of general circulation in the Milton area or by letter or telephone if the Department feels that telephone notification is sufficient.

Written comments, protests, or requests for additional public hearing should be directed to David W. Aldenderfer, Environmental Program Manager, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

For additional information regarding the respective plan approval application, contact Richard L. Maxwell, Jr., Chief, New Source Review Section, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3640.

### OPERATING PERMITS

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

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

**46-00046: Accellent, Inc.**, (200 West 7th Avenue, Trappe, PA 19426) for renewal of the Title V Operating Permit in Trappe Borough, **Montgomery County**. The initial permit was issued on July 3, 2001. The facility is primarily used for the fabrication of metal tubing used in the medical, aerospace and automotive industries. The facility cleans the metal parts in the three vapor degreasers that are located at the facility. The vapor degreasers are subject to the requirements of 40 CFR Part 63 Subpart T, and the facility is using control combinations to comply with these regulations. Other sources of VOCs include three boilers, several space heaters, plastic coating processes and parts washers. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Permit Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

#### **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.*

**39-00046: Eastern Industries, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) for operation of two batch asphalt plants with the capability of utilizing waste derived liquid fuel and associated air cleaning devices at their Wescosville facility in Lower Macungie Township,

**Lehigh County.** This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility.

**39-00052: Eastern Industries Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) for operation of a batch asphalt plant and crushing operation and associated air cleaning devices at their Ormrod facility in North Whitehall Township, **Lehigh County.** This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility.

**48-00051: Eastern Industries Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) for operation of a batch asphalt plant and associated air cleaning device at their Bath facility in East Allen Township, **Northampton County.** This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility.

**48-00052: Eastern Industries Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) for operation of a batch asphalt plant and associated air cleaning device in the City of Bethlehem, **Northampton County.** This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility.

**58-00005: Eastern Industries Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) for operation of a batch asphalt plant and crushing operation and associated air cleaning devices at their Clifford Quarry in Clifford Township, **Susquehanna County.** This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility.

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

**06-03077: F. M. Brown's Sons, Inc.** (205 Woodward Avenue, Sinking Springs, PA 19608-0116) for operation of their agricultural foods and products plant in Sinking Springs Borough, **Berks County.** The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**06-03096A: Lucas Lane, Inc.** (10 Lucas Lane, Bernville, PA 19506) for operation of a thermal unit to recycle used oil filters at the Bernville location in Upper Tulpehocken Township, **Berks County.** This recycling operation is a non-Title V facility and will result in less than 5 tons per year of any one pollutant. Standard monitoring, recordkeeping and work practice standards are included to keep the facility operating within all applicable requirements.

**22-03010: East Harrisburg Cemetery** (2260 Herr Street, Harrisburg, PA 17109) for a natural minor permit renewal at Susquehanna Township, **Dauphin County.** The facility operates a crematorium and the PM emission from the operation is about 0.05 ton per year. Natural Minor Operating Permit renewal shall contain additional operating restrictions, recordkeeping and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**28-05022: Signature Companies** (5171 Innovation Way, Chambersburg, PA 17201) for operation of their wood furniture manufacturing facility in Greene Township, **Franklin 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, Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.*

**08-00007: Leprino Foods Co.** (400 Leprino Ave. Waverly, NY 14892) for operation of their cheese making and manufacturing facility in South Waverly Borough, **Bradford County.** The facility's main sources include four 20.9 mmBtu/hr natural gas/Nos. 2 and 4—6 fuel oil fired boilers and a natural gas fired whey drying and packaging operation. The facility has the potential to emit SO<sub>x</sub> and NO<sub>x</sub> above the major emission thresholds but has taken elective restrictions to emit less than the major emission thresholds for NO<sub>x</sub> and SO<sub>x</sub>. This facility also has the potential to emit CO, VOCs, HAPs and PM<sub>10</sub> below the major emission thresholds.

## 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 men-

tioned 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.*

**32733709 and NPDES Permit No. PA0214159. Robindale Energy Services, Inc.** (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920), to renew the permit for the Dilltown Facility in Brush Valley Township, **Indiana County** and related NPDES permit. No additional discharges. Application received May 30, 2006.

**56841603 and NPDES Permit No. PA0588504. PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541-0260), to renew the permit for the Shade Creek Prep Plant in Shade Township, **Somerset County** and related NPDES permit. No additional discharges. Application received May 15, 2006.

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

**56950111 and NPDES No. PA0213225. Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936, revision of an existing bituminous surface and auger mine to add 108.5 acres to the permit area. Total SMP acres goes to 458.4. Also, to change the postmining land use from woodland to wildlife habitat in Shade Township, **Somerset County**. Receiving streams: UNTs to Shade Creek and Shade Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received June 13, 2006.

**56900109 and NPDES No. PA0598887. PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface mine in Quemahoning and Somerset Townships, **Somerset County**, affecting 48.2 acres. Receiving stream: Wells Creek classified for the following use: WWF. The first downstream potable water supply intake

from the point of discharge is Hooversville Borough Municipal Authority Stonycreek SWI. Application received June 13, 2006.

**32010101 and NPDES No. PA0248916. Millwood Development, Inc.**, 1293 Route 217, Derry, PA 15627, permit renewal for the continued operation and restoration of a bituminous surface mine in Conemaugh Township, **Indiana County**, affecting 77.0 acres. Receiving streams: UNT to Kiskiminetas River and UNT to Blacklegs Creek classified for the following uses: WWF; CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 14, 2006.

**32010101 and NPDES No. PA0248916. Millwood Development, Inc.**, 1293 Route 217, Derry, PA 15627, transfer of an existing bituminous surface mine from Opal Industries, Inc., P. O. Box 980, Latrobe, PA 15650, located in Conemaugh Township, **Indiana County**, affecting 77.0 acres. Receiving streams: UNT to Kiskiminetas River and UNT to Blacklegs Creek classified for the following uses: WWF; CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 14, 2006.

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

**03010101 and NPDES Permit No. PA0202975. Patriot Mining Co., Inc.** (P. O. Box 4360, Star City, WV 26504). Renewal application for reclamation only, to an existing bituminous surface mine, located in Dunkard and Perry Townships, **Greene County**, affecting 336 acres. Receiving stream: Dooley Run, 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 30, 2006.

**02860201 and NPDES Permit No. PA0588407. Minerals Technology, Inc.** (100 High Tower Blvd., Suite 301, Pittsburgh, PA 15205). Renewal application for continued NPDES treatment to an existing coal refuse reprocessing site, located in Harmar Township, **Allegheny County**, affecting 156.6 acres. Receiving stream: Guys Run, 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: June 5, 2006.

**03020108 and NPDES Permit No. PA0250198. Seven Sisters Mining Company, Inc.** (P. O. Box 300,

US 22, Delmont, PA 15626-0300). Application received to revise Module 10 of the permit for an existing bituminous surface mining site located in South Bend Township, **Armstrong County**, affecting 183.5 acres. Receiving streams: UNTs to Crooked Creek, classified for the following use: WWF. There are no potable water supply intakes within 10 miles from the point of discharge. Application received: June 7, 2006.

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

**17000107 and NPDES Permit No. PA0242951. Shud's Coal Hounds, Inc.** (5757 Green Acre Road, Houtzdale, PA 16651), permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Woodward and Bigler Townships, **Clearfield County**, affecting 167.8 acres. Receiving streams: UNTs to Upper Morgan Run and Goss Run. Application received: June 9, 2006.

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

**54850204R4 and NPDES Permit No. PA0592749. Jeddo-Highland Coal Company** (46 Public Square,

Suite 600, Wilkes-Barre, PA 18701), renewal of an existing coal refuse reprocessing operation in Porter Township, **Schuylkill County** affecting 1,756.0 acres, receiving stream: Wiconisco Creek. Application received June 12, 2006.

**19960101R2 and NPDES Permit No. PA0223719. City of Philadelphia, Trustee** (21 South 12th Street, Philadelphia, PA 19107), renewal of an existing anthracite surface mine and coal refuse disposal operation that includes NPDES Permit for discharge of treated mine drainage in Conyngham, Butler and Union Townships, **Columbia and Schuylkill Counties** affecting 876.0 acres, receiving stream: Mahanoy Creek. Application received June 15, 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.

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

**63960301 and NPDES Permit No. PA0201766. Dick Corporation** (P. O. Box 10896, Pittsburgh, PA 15236). Renewal application for reclamation only of an industrial surface mining permit, located in Hanover Township, **Washington County**, affecting 33.2 acres. Receiving stream: UNT to Kings Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: June 2, 2006.

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

**10930310 and NPDES Permit No. PA0211826. Atlantic States Materials of PA, Inc.** (P. O. Box 269, Mercer, PA 16137). Revision to an existing sand, gravel and topsoil operation in Worth Township, **Butler County** affecting 134.0 acres. Receiving streams: Slippery Rock Creek and UNTs to Slippery Rock Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to include a post mining land use change from unmanaged natural habitat to recreational on lands of Benvue Farms, Inc. Application received: June 9, 2006.

**25010302. A.C.A. Sand and Gravel, LLC** (19170 Route 89, P. O. Box 16, Corry, PA 16407). Transfer of an

existing sand and gravel operation in Concord Township, **Erie County** affecting 121.0 acres. Receiving streams: None. There are no potable surface water supply intakes within 10 miles downstream. Transfer from Rodger E. Niemeyer, Sr. Application received: June 12, 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 Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E39-465. HomePro Enterprises, Inc.**, 112 Elm Road, Allentown, PA 18104, in Upper Macungie Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a road crossing of a tributary to Little Cedar Creek (HQ-CWF) consisting of a 20-foot by 4.5-foot concrete box culvert depressed 6-inches below streambed elevation; to construct and maintain a nonjurisdictional dam in the floodway of the tributary; and to construct and maintain two utility line crossings of the tributary consisting of an 8-inch diameter DIP water line and an 8-inch diameter PVC sanitary line, both encased in 18-inch diameter steel casing. The project is associated with the Blue Barn Estate's Residential Development and is located on the west side of Blue Barn Road, approximately 6 mile north of its intersection with Tilghman Street (Allentown West, PA Quadrangle N: 18.2 inches; W: 11.8 inches).

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

**E06-610: City of Reading**, 503 North Sixth Street, Reading, PA 19601-3690 in the City of Reading, **Berks County**, ACOE Philadelphia District.

To restore approximately 1,600 LF of Angelica Creek, including a 400-foot realignment, riparian buffers, two acres of new wetlands, creation of a recreational fishing pond, restoration of meadow habitat and various enhancements to the Environmental Park located west of Route 10 in the City of Reading at the former site of Angelica Lake (Reading, PA Quadrangle; Latitude: 40° 18' 44", Longitude: 75° 55' 34"; N: 11.3 inches; W: 7.1 inches).

**E22-505: Harry Fox, Jr.**, 600 Cold Springs Road, Dillsburg, PA 17019 in Swatara Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain: 1) a 36-inch by 325-foot plastic pipe stream enclosure, which will impact 0.026 acre of bank and channel wetlands; 2) a 15-inch, 24-inch and a 36-inch plastic pipe outfall with rip-rap rock aprons in and along a UNT to Beaver Creek (WWF) near the intersection of Sue Drive and New Derry Street (Harrisburg East, PA Quadrangle N: 3.2 inches; W: 0.3 inches, Latitude: 40° 16.0' 2.12", Longitude: 76° 45' 3.87") in Swatara Township, Dauphin County. The impact due to

the stream enclosure will require mitigation. To compensate for the proposed impacts, the applicant proposes the construction of 0.153 acre of replacement wetlands and approximately 900-feet of stream channel restoration.

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

**E14-489. The Pennsylvania State University Office of Physical Plant**, 113 Physical Plant Building, University Park, PA 16802. Upper Slab Cabin Run, in College Township, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 11.7 inches; W: 11.8 inches).

To construct and maintain a stream restoration project using in stream cross vanes to reconstruct incised sections of Slab Cabin Run to its original marsh floodplain to stabilize channel erosion and provide opportunity for bio-retention and assimilation of pollutants in urban stormwater runoff to reduce impairment of Slab Cabin Run and Spring Creek identified by the Department. This stream is classified as a HQ-CWF and this project proposes to impact 600 linear feet of stream with structures and 250 linear feet of wetlands with flood reattachment channels.

**E18-410. Department of Conservation and Natural Resources, Bureau of Forestry, Sproul State Forest District 10**, 15187 Renovo Road, Renovo, PA 17764. Hiking Bridge replacement, in Chapman Township, **Clinton County**, ACOE Baltimore District (Renovo East, PA Quadrangle N: 13.17 inches; W: 2.52 inches).

The applicant proposes to construct a 24 ft. span wooden pedestrian bridge across Little McCloskey Run (HQ-CWF). The structure is intended to have a 4 foot 6 inch underclearance with 3 foot 6 inch guide rails. This project will not impact any wetland and will have a temporary impact on the stream of 25 feet.

**E47-085. Mahoning Creek Watershed Association**, P. O. Box 24, Danville, PA 17821. Mahoning Creek Stabilization, in Valley Township, Montour County, ACOE Baltimore District (Riverside, PA Quadrangle N: 19.62 inches; W: 0.61 inch).

The applicant is proposing to stabilize a 700 ft. section of Mahoning Creek (TSF) by means of a combination of traditional riprap and natural channel design techniques. The stabilization project intends to create a natural, stable working stream system that will aid in the reduction of sediment loading and enhance aquatic habitat. The completed project is intended to have one cross vane structure and one straight vane structure along with 185 linear feet of riprap. The riprap will be placed at the lower section of the project since this area is already at bedrock. This project does not intend to impact any wetlands.

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

**E02-1535. Manor House Kitchens, Inc.**, 3297 Babcock Boulevard, Pittsburgh, PA 15237-2829. To construct a culvert in Ross Township, **Allegheny County**, Pittsburgh ACOE District. (Emsworth, PA, Quadrangle N: 5.6 inches; W: 2.55 inches; Latitude: 40° 31' 51"; Longitude: 80° 01' 06"). The applicant proposes to construct and maintain a culvert having a span of 16.0 feet with a minimum under clearance of 5.5 feet and approximately 65.0 feet in length in the channel of Girty's Run (WWF) for the purpose of providing access to applicant's property. The project is located approximately 2,000 feet



north from the intersection of Babcock Boulevard and Hillcrest Drive in Ross Township, Allegheny County, and will impact 65.0 linear feet of stream channel.

**E02-1537. Palm Properties, LLC**, 3447 Hart's Run Road, Glenshaw, PA 15116. To extend the existing stream enclosure in Indiana Township, **Allegheny County**, Pittsburgh ACOE District. (Glenshaw, PA Quadrangle N: 8.93 inches; W: 5.44 inches and Latitude: 40° 26' 31"—Longitude: 79° 54' 51"). The applicant proposes and after the fact permit to operate and maintain an existing 115 linear foot 72 inch diameter CMP extension of an existing stream enclosure in a UNT to Little Pine Creek (TSF), an existing concrete retaining wall approximately 350' in length, various outfall structures, and a previously permitted existing stream crossing consisting of a 5 foot by 20 foot box culvert and a 230 foot 18 inch CMP stream enclosure which drains less than 100 acres; for the purpose of operating a retail and office development. The project is located at the southern corner of the intersection of Hart's Run Road and Saxonburg Boulevard. The project impacts approximately 400 feet of stream channel, with an additional impact of 230 feet on a tributary of the main tributary.

**E56-340. Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To fill wetland in Allegheny Township, **Somerset County**, Baltimore ACOE District. (New Baltimore, PA Quadrangle starting at N: 15.0 inches, W: 13.6 inches, Latitude: 39° 57' 26" and Longitude: 78° 50' 54"; and ending at N: 19.2 inches, W: 5.1 inches, Latitude 39° 59' 00" and Longitude: 78° 47' 24"). The applicant proposes to fill 0.02 acre of PEM wetland. The applicant also proposes to construct and maintain a total of 160° LF of 18" to 36" culvert; temporarily divert or relocate 80° LF of stream, reline or replace a total of 185° LF of existing 18" to 54" culvert; and remove a total of 384 LF of existing 15" to 48" culvert in drainage areas less than 100 acres in UNTs to the Raystown Branch Juniata River (CWF), Wambugh Run (CWF) and Three Lick Run (CWF). The project is associated with a 1.3 mile relocation and a 0.8 mile relocation of the Turnpike west bound lanes to an alignment adjacent to the east bound lanes, and other improvements between New Baltimore Borough and the Allegheny Tunnel from mile post 123.34 to 129.93.

**E63-585. Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106. To stabilize Mingo Creek in Carroll Township, **Washington County**, Pittsburgh ACOE District. (Monongahela, PA Quadrangle N: 14.9 inches; W: 15.5 inches and Latitude: 40° 12' 29"—Longitude: 79° 59' 05"). The applicant proposes to construct and maintain 400 LF of stream stabilization and restoration in Mingo Creek (HQ-TSF). This project is intended to protect fill supporting the Mon-Fayette Expressway from threatened erosion and starts 40 ft. downstream of SR 1087 (Ginger Hill Road).

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

**E10-420. Grace Community Church**, P. O. Box 2467, Cranberry Township, PA 16066. Church expansion in Cranberry Township, **Butler County**, ACOE Pittsburgh District. (Baden, PA Quadrangle N: 40° 40' 57"; W: 80° 08' 08").

To include the following activities as part of the expansion of the Grace Community Church:

1. To install and maintain a precast Con/Span arch culvert with a 20-foot by 6-foot waterway opening and

having a length of 75-feet, with associated fill in a tributary to Brush Creek (WWF) for a new access driveway;

2. To realign approximately 165 feet of the stream channel and fill an adjoining de minimis (.022 acre) area of wetland (PEM/PSS) for the expansion of the existing parking lot and associated grading.

3. To relocate and maintain an 8-inch diameter sanitary sewer line across the tributary to Brush Creek (WWF).

4. To expand the existing stormwater detention basin disturbing a portion of an adjoining de minimis (.009 acre) area of wetland (PEM).

5. To construct and maintain a 12-foot by 6-foot wooden footbridge over a drainage swale having a drainage area of less than 100 acres.

This project was previously permitted under E10-307, which expired December 31, 2002, without having been constructed

**E16-132. Clarion Area Authority**, 14 N. 5th Ave., Clarion, PA 16214. Clarion Area Authority Sanitary Sewer Outfall Reconstruction along Trout Run, in Monroe Township, Clarion County, ACOE Pittsburgh District (Clarion, PA Quadrangle N: 41, 12', 07"; W: 79, 24', 25").

To reconstruct and modify the existing sanitary sewer outfall from the Clarion Area Authority treatment plant located along Trout Run near its mouth at the Clarion River to include the following activities:

1. To realign and maintain approximately 180 feet of the channel of Trout Run extending upstream from the Clarion River. This involves permanent impact to 2,500 square feet of the existing channel of Trout Run.

2. To extend and maintain the existing 18-inch diameter effluent line approximately 160 feet downstream along the left (south) side of the floodway of Trout Run.

3. To construct and maintain approximately 200 feet of stabilized open channel along the left side of the floodway of Trout Run extending from the proposed headwall downstream to the Clarion River.

Project also includes the installation of temporary stream crossings of Trout Run for construction access at four locations on the existing access road following Trout Run between the existing sewage treatment plant and the Clarion River.

**E61-276, Ryan C. Moncheck**, 206 Morewood Road, Glenshaw, PA 15116-2047. Yost Drive River Access, in Scrubgrass Township, **Venango County**, ACOE Pittsburgh District (Eau Claire, PA Quadrangle N: 20.7 inches; W: 4.6 inches).

The applicant proposes to construct and maintain a private boat access involving the removal approximately 306 cubic feet (17-foot long by 6-foot wide by 3-foot deep) of sediment from the Allegheny River within the Federal Scenic River Corridor approximately 2.1 miles NE of the intersection of SR 208 and SR 3007. The Allegheny River is a perennial stream classified as a WWF. The project proposes to directly impact approximately 100 square feet of stream.

**E62-407, Warren General Hospital**, Two Crescent Park West, Warren, PA 16365. Pine Grove Surgical Center, in Pine Grove Township, **Warren County**, ACOE Pittsburgh District (Russell, PA Quadrangle N: 14.73 inches; W: 1.66 inches).

The applicant proposes to fill 0.038 acre (de minimis) of wetland for the construction of a surgical center on the same property as an existing medical center approximately 0.4 mile SW of the intersection of SR 62 and SR 1016. The project proposes to directly impact 0.038 acre of wetland.

**E62-409, West PA Net**, 20 Market Street Plaza, Warren, PA 16365. West PA Net Fiber Optic Crossing Allegheny River, in Glade Township and Meade Township, **Warren County**, ACOE Pittsburgh District (Clarendon, PA Quadrangle N: 20.2 inches; W: 4.0 inches).

The applicant proposes to install and maintain an aerial fiber optic cable crossing of the Allegheny River within the Federal Scenic River Corridor on existing electrical infrastructure approximately 0.5 mile east of the intersection of SR 6 and SR 59. The Allegheny River is a perennial stream classified as a WWF.

#### ENVIRONMENTAL ASSESSMENTS

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

**D31-018EA. Orbisonia Lions Civic Association**, R. R. 1 Box 1156, Three Springs, PA 17264. Cromwell

Township, **Huntingdon County**, ACOE Baltimore District.

Project proposes to breach and remove Old Furnace Dam across Blacklog Creek (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 500 feet of stream channel. The dam is located approximately 2,500 feet southeast of the intersection of US 522 and SR944 (Orbisonia, PA Quadrangle N: 20.2 inches; W: 1.9 inches).

#### DAM SAFETY

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

**D08-063A. John and Holly Firely** (798 Sharon Lane, Harleysville, PA 19438). To modify, operate and maintain Galvin Pond Dam across a tributary to Trout Creek (WWF), impacting 0 acre of wetland and 0 feet of stream, for the purpose of upgrading the structure to comply with current dam safety standards (Bentley Creek, PA Quadrangle N: 13.4 inches; W: 9.0 inches) in Ridgebury Township, **Bradford County**. Proposed modifications consist of leveling the crest of the dam and improving the emergency spillway.

## 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

*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>
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
PA0007455 IW	Lycoming Engines 652 Oliver Street Williamsport, PA 17701-6441	Williamsport Lycoming County	Lycoming Creek 10A	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>
PA0000434 Industrial Waste	Manor Township Joint Municipal Authority 2310 Pleasant View Drive Ford City, PA 16226-1535	Armstrong County Manor Township	Allegheny River	Y
PA0097306 Industrial Waste	Municipal Authority of the Township of Robinson (MATR) P. O. Box 15539 Pittsburgh, PA 15244-0539	Allegheny County Robinson Township	Ohio River	Y
PA0218278 Industrial Waste	Westinghouse Plasma Center P. O. Box 410 Madison, PA 15663-0410	Westmoreland County Sewickley Township	UNT of Calley's Run	Y
PA0218511 Industrial Waste	Municipal Water Authority of Aliquippa 160 Hopewell Avenue Aliquippa, PA 15001	Beaver County City of Aliquippa	Logstown Run	Y
PA0093033 Sewage	Eastern Armstrong County Municipal Authority P. O. Box 262 Elderton, PA 15736-0262	Armstrong County Elderton Borough	Logstown Run	Y
PA0095745 Sewage	Deer Lakes Mobile Home Park 19 Moretti Drive Tarentum, PA 15084	Allegheny County West Deer Township	UNT of Little Deer Creek	Y
PA0218812 Sewage	Indiana County Municipal Services Authority 827 Water Street Indiana, PA 15701	Indiana County Montgomery Township	Cush Creek	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>
PA0209783	Jerry Novosel SFTF 41 Gearhart Road Pulaski, PA 16143	Mercer County Shenango Township	UNT to Buchanan Run 20-A	Y
PA0239771	Green Meadows Mobile Home Park 189 Thomas Circle Enon Valley, PA 16120	New Beaver Borough Lawrence County	UNT to Jenkins Run	Y

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

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

**NPDES Permit No. PA0058947**, Industrial Waste, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in City of Philadelphia, **Philadelphia County**.

Description of Proposed Action/Activity: Approval for the authorization of a new permit to discharge from a facility known as JDM-Grant Avenue Batch Plant into Pennypack Creek in Watershed 3J.

**NPDES Permit No. PA0058955**, Industrial Waste, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in City of Philadelphia, **Philadelphia County**.

Description of Proposed Action/Activity: Approval for the authorization of a new permit to discharge from a facility known as JDM-Bartram Batch Plant into the Schuylkill River in Watershed 3J.

**NPDES Permit No. PA0011631**, Industrial Waste, **Exelon Generation Company, LLC**, 100 Cromby Road, Phoenixville, PA 19460. This proposed facility is located in East Pikeland Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from a facility know as Cromby Generating Station to the Schuylkill River and Stony Run (Outfall 007) in Watershed 3D.

**NPDES Permit No. PA0031887**, Sewage, **Green Hill MHC, LLC**, P. O. Box 677, Morgantown, PA 19543-0677. This proposed facility is located in Marlborough Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge sewage effluent to Green Lane Reservoir in Watershed 3E.

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

**NPDES Permit No. PA-0065081**, Sewage, **James Davis**, 118 Whispering Acre Lane, Wind Gap, PA 18091. This proposed facility is located in Bushkill Township, **Northampton County**.

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

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

**NPDES Permit No. PA0080730**, Sewage, **West Perry School District, Blain Elementary**, 2606 Shermans Valley Road, Elliptsburg, PA 17024. This proposed facility is located in Blain Borough, **Perry County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT to Sherman Creek in Watershed 7-A.

**NPDES Permit No. PA0084034**, Sewage, **West Perry School District, Carroll Elementary**, 2606 Shermans Valley Road, Elliptsburg, PA 17024. This proposed facility is located in Carroll Township, **Perry County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT to Sherman Creek in Watershed 7-A.

**NPDES Permit No. PA0084581**, Industrial Waste, **New Holland Borough Authority**, Water Treatment Plant, 436 East Main Street, New Holland, PA 17557. This proposed facility is located in East Earl Township, **Lancaster County**.

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

**NPDES Permit No. PA0054852, Amendment No. 1**, Industrial Waste, **WBLF Acquisitions Company, LLC**, 256 Eagle View Road, PMB 231, Exton, PA 19341. This proposed facility is located in Cumru Township, **Berks County**.

Description of Proposed Action/Activity: Transfer of Permit.

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

**PAS314801, Industrial Waste**, SIC 4922, **Dominion Transmission**, 5094 Route 349, Westfield, PA 16950-9624. This existing facility is located in Clymer Township, **Tioga County**.

Description of Proposed Activity: The applicant has been issued a stormwater permit that will authorize the discharge of stormwater from a retention pond.

The receiving stream, Mill Creek, is in the State Water Plan watershed 4A and is classified for: TSF. The nearest downstream public water supply is the PA-NY border, is located on the Cowanesque River, 30.5 river miles below the point of discharge.

The monitoring for Outfall 001, from the permit effective date through 1 year following the permit effective date:

<i>Parameter</i>	<i>Daily Maximum (µg/l)</i>	<i>Measurement Frequency</i>	<i>Sample Type</i>
benzene	Report	1/Quarter	Grab
ethylbenzene	Report	1/Quarter	Grab
toluene	Report	1/Quarter	Grab
total xylenes	Report	1/Quarter	Grab
cumene	Report	1/Quarter	Grab
naphthalene	Report	1/Quarter	Grab
MTBE	Report	1/Quarter	Grab
n-butylbenzene	Report	1/Quarter	Grab
sec-butylbenzene	Report	1/Quarter	Grab
isopropyltoluene	Report	1/Quarter	Grab
methylene chloride	Report	1/Quarter	Grab
n-propylbenzene	Report	1/Quarter	Grab
1,2,4-trimethylbenzene	Report	1/Quarter	Grab
1,3,5-trimethylbenzene	Report	1/Quarter	Grab

The monitoring for Outfall 001, from 1 year following the permit effective date to the permit expiration date:

<i>Parameter</i>	<i>Daily Maximum (µg/l)</i>	<i>Measurement Frequency</i>	<i>Sample Type</i>
benzene	Report	1/Quarter	Grab
ethylbenzene	Report	1/Quarter	Grab
toluene	Report	1/Quarter	Grab
total xylenes	Report	1/Quarter	Grab

In addition to the proposed monitoring or inspection, the permit contains the following major special conditions:

1. Requirements Applicable to Stormwater Outfalls.
2. Stormwater/Groundwater Impoundment Modifications.

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

**PA0252930**, Industrial Waste, **Trans Technology Corporation**, 700 Liberty Avenue, P. O. Box 3300, Union, NJ 07083-3300. This proposed facility is located in Conemaugh Township, **Indiana County**.

Description of Proposed Action/Activity: Permit issuance for groundwater remediation.

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

**NPDES Permit No. PA0239666**, Sewage, **Tracey, Inc., Cromwell Estates Mobile Home Park**, P. O. Box 55, Valencia, PA 16059. This proposed facility is located in Clinton Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to a UNT to Bull Creek in Watershed 18-A.

**NPDES Permit No. PA0239771**, Sewage, **Green Meadows Mobile Home Park**, 189 Thomas Circle, Enon Valley, PA 16120. This proposed facility is located in New Beaver Borough, **Lawrence County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to a UNT to Jenkins Run in Watershed 20-B.

### **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. 1506401**, Sewerage, **Blackburn Realty Associates, Inc.**, 1595 Paoli Pike, Suite 201, P. O. Box 1906, West Chester, PA 19380-6167. This proposed facility is located in East Marlborough Township, **Chester County**.

Description of Action/Activity: Construction and operation of an existing automatic lift pump station to be retro-fitted with larger pumps to serve existing and new domestic wastewater projects.

**WQM Permit No. WQG01-0011**, Sewerage, **Maureen Skelly, Skelly Residence**, 234 Ridge Avenue, Newtown, PA 18940. This proposed facility is located in Wrightstown Township, **Bucks County**.

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

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

**WQM Permit No. WQG0170601**, Sewerage, **Greg Gearhart**, 84 Warrington Road, Dillsburg, PA 17019. This proposed facility is located in Carroll Township, **York County**.

Description of Proposed Action/Activity: Approval for the construction/operation of Small Flow Treatment Facilities.

**WQM Permit No. WQG01670603**, Sewerage, **Rodger Petrone**, (Grantham Crossing Lot 9), 4076 Market Street, Camp Hill, PA 17011. This proposed facility is located in Carroll Township, **York County**.

Description of Proposed Action/Activity: Approval for the construction/operation of a small flow sewage treatment facility to serve a single family residence on Lot 9.

**WQM Permit No. WQG01670602**, Sewerage, **Rodger Petrone**, (Grantham Crossing Lot 7), 4076 Market Street, Camp Hill, PA 17011. This proposed facility is located in Carroll Township, **York County**.

Description of Proposed Action/Activity: Approval for the construction/operation of a small flow sewage treatment facility to serve a single family residence on Lot 7.

**WQM Permit No. WQG01670604**, Sewerage, **Rodger Petrone**, (Grantham Crossing Lot 16), 4076 Market Street, Camp Hill, PA 17011. This proposed facility is located in Carroll Township, **York County**.

Description of Proposed Action/Activity: Approval for the construction/operation of a small flow sewage treatment facility to serve a single family residence on Lot 16.

**WQM Permit No. WQG01280601**, Sewerage, **Mr. and Mrs. Richard Runyon**, 6625 McClays Mill Road, Newburg, PA 17240. This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Proposed Action/Activity: Approval for the construction/operation of a small flow sewage treatment facility to serve their single family residence.

**WQM Permit No. 0692205, Transfer No. 1**, Industrial Waste, **WFLF Acquisition Company, LLC**, 256 Eagle View Road, PMB 231, Exton, PA 19341. This proposed facility is located in Cumru Township, **Berks County**.

Description of Proposed Action/Activity: Transfer of Permit.

**WQM Permit No. 0606201**, CAFO, **Michael Werner, Joe Jurgielewicz & Son, Ltd.**, P. O. Box 257, Shartlesville, PA 19554. This proposed facility is located in Tilden Township, **Berks County**.

Description of Proposed Action/Activity: Approval of the construction of, modification to, and operation of manure and food processing waste treatment facilities as follows: New waste transfer lines will be installed to route wastewater to the existing "Storage 0" impoundment and an existing collection manhole. Wastewater in Storage 0 will be pumped to the collection manhole; Wastewater will be pumped from the collection manhole to a new solids separator system, to be housed within the new waste treatment building; Effluent from the separator system will be pumped to a new Dissolved Air Flotation (DAF) unit, to be housed within the new waste treatment building; Effluent from Storage No. 1 will flow into Storage No. 2, which will be partially aerated. Waste solids from Storage No. 2 will be returned to Storage No. 1.

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

**WQM Permit No. WQ5503403-A1**, Sewerage 4952, **Beavertown Municipal Authority**, 419 Old Orchard Drive, Beavertown, PA 17813. This proposed facility is located in Beavertown Borough, **Snyder County**.

Description of Proposed Action/Activity: Applicant is granted a Water Quality Management permit for the modifications to the Ball Field wastewater pumping station and the Beavertown Municipal Authority Wastewater Treatment Plant.

**WQG Permit No. 01590605**, 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: Permit issuance for a system consisting of a 1,000-gallon septic tank, an effluent filter, two free access sand filters, an erosion chlorinator, and a chlorine contact tank.

**WQG Permit No. 01080601**, 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: Permit issuance for a system consisting of a 1,000-gallon septic tank, an effluent filter, two free access sand filters, an erosion chlorinator, and a chlorine contact tank.

**WQG Permit No. 01080603**, Sewerage, **William and Mary Timm**, 147 Murray Creek Road, Athens, PA 18810. This proposed facility is located in Athens Township, **Bradford County**.

Description of Proposed Action/Activity: Permit issuance for a system consisting 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. 1906401**, Sewerage 4952, **Millville Borough**, P. O. Box 30, Millville, PA 17846-0030. This proposed facility is located in Millville Borough, **Columbia County**.

Description of Proposed Action/Activity: Applicant is granted a Water Quality Management permit for the wastewater treatment plant hydraulic upgrade from 0.250 mgd to 0.300 mgd.

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

**WQM Permit No. 3206201**, Industrial Waste, **TransTechnology Corporation**, 700 Liberty Avenue, P. O. Box 3300, Union, NJ 07083-3300. This proposed facility is located in Conemaugh Township, **Indiana County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of groundwater extraction wells and treatment facility for the cleanup of groundwater.

**WQM Permit No. 6306201**, Industrial Waste, **Molycorp, Inc.**, 1217 West Wayne Street, Washington, PA 15301. This proposed facility is located in Canton Township, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for contact water treatment system, noncontact water sedimentation basins.

**WQM Permit No. 0205406**, Sewerage, **Woodville Associates, Ltd.**, 5020 Thoms Run Road, Oakdale, PA 15071. This proposed facility is located in Collier Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a sanitary sewer system to service a 569 lot single- and multi-family home development.

**WQM Permit No. 5602403-A1**, Sewerage, **Conemaugh Township**, 1120 Tire Hill Road, Johnstown, PA 15905. This proposed facility is located in Conemaugh Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a new sludge dewatering facility.

**WQM Permit No. 6306402**, Sewerage, **Washington County Authority**, 100 West Beau Street, Suite 304, Washington, PA 15301. This proposed facility is located in Cecil Township, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for construction and operation of gravity sewers to serve Southpoint II-Phase 1 development at the former Western Center.

**WQM Permit No. 6505410**, Sewerage, **Unity Township Municipal Authority**, P. O. Box 506, Pleasant Unity, PA 15676. This proposed facility is located in Unity Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a new pump station, sewage treatment plant and sewer system to extend public sanitary sewer service in the Fourteen Mile Run Watershed.

**WQM Permit No. WQG016127**, Sewerage, **Craig Dongilli**, 308 Van Meter Road, Belle Vernon, PA 15012. This proposed facility is located in Rostraver Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for construction and operation of a single residence sewage treatment plant.

**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>
PAI011504057	Wawa, Inc. 260 West Baltimore Pike Wawa, PA 19063	Chester	North Coventry Township	Schuylkill River (HQ-TSF)
PAI011504071	Peter Kjellerup 8 Federal Road West Grove, PA 19390	Chester	Penn Township	UNT East Branch Big Elk Creek (HQ-TSF-MF)
PAI011504083	Heritage Building Group, Inc. 2500 York Road Jamison, PA 18929	Chester	Wallace Township	East Branch Brandywine River (HQ-TSF-MF)
PAI011506015	John C. and Ester M. Kolb 321 Fairview Road Glenmoore, PA 19343	Chester	Wallace Township	North Branch Indian Run (HQ-CWF)
PAI011506020	Anthony and Deborah Galante 17 Yeaton Lane Glenmoore, PA 19343	Chester	East Nantmeal Township	Beaver Run (EV)
PAI011506031	Wyeth Pharmaceuticals 31 Morehall Road Frazer, PA 19355	Chester	West Chester Borough	UNT Goose Creek (CWF)
PAI011506022	Clinton Blackwell, Jr. 155 Walker Road Landenberg, PA 19350	Chester	Franklin Township	Tributary Big Elk Creek (HQ-TSF-MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024505010	Adrian Dumitru 1232 Pine Ridge Bushkill, PA 18324	Monroe	Smithfield Township	Marshalls Creek HQ-CWF
PAI024805027	Nazareth Area School District One Education Plaza Nazareth, PA 18064	Northampton	Lower Nazareth Township	Monocacy Creek 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>
PAI030506002	Department of Transportation Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103	Bedford	Bedford Township	Shobers Run HQ-CWF UNT to Shobers Run HQ-CWF
PAI033105003	Mr. and Mrs. Silas Dubbel 63764 A Cold Springs Road Huntingdon, PA 16652	Huntingdon	Oneida Township	UNT Standing Stone Creek HQ-CWF

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

*Clearfield Conservation District: 650 Leonard Street, Clearfield, PA 16830, (814) 765-8130.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041403010	Janos Koltay, Sandy Hills 507 Katrina Circle State College, PA 16803	Centre	Rush Township	Clover Run HQ-CWF

Central Office: Bureau of Watershed Management, 400 Market Street, Floor 10, P. O. Box 8554, Harrisburg, PA 17105-8775.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI153906001	Allentown Commercial & Industrial Development Authority Gerald Aubano 435 Hamilton Ave. Allentown, PA 11805	Lehigh	City of Allentown	Little Lehigh Creek HQ-CWF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI063705002(1)	Turnpike Commission Attention: Frank Kempe 700 South Eisenhower Road Middletown, PA 17057-5529 and Co-Permittee Joseph B. Fay Company P. O. Box 66 Russellton, PA 15084	Lawrence	Little Beaver and North Beaver Townships	North Fork Little Beaver Creek HQ

## 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

Facility Location & Municipality	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Schuylkill Township Chester County	PAG2001504123	Sue Ellen Masters Ferry Lane Valley Forge, PA 19380	UNT Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Tredyffrin Township Chester County	PAG2001506023	Swedesford Associates, LP 1 West First Avenue, Ste 4100 Conshohocken, PA 19428	Trout Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900



## NOTICES

3331

<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>
West Brandywine Township Chester County	PAG2001506020	Jonathan Howe 152 Culbertson Run Road Downingtown, PA 19335	Beaver Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106019	Capital Program Office 1515 Arch Street, 11th Floor Philadelphia, PA 19102	Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106033	Agusta Aerospace Corporation 3076 Red Lion Road Philadelphia, PA 19114	Poquessing Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106039	School District of Philadelphia 440 North Broad Street, 3rd Floor Philadelphia, PA 19130	Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Rush Township Schuylkill County	PAG2005406002	Shawn and Laura Gilbert 137 Ye Old Hauto Rd. Tamaqua, PA 18252	Neifert Creek to Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742
Hanover Township Luzerne County	PAG2004006009	Earth Conservancy 101 South Main St. Ashley, PA 18706	Solomon Creek CWF	Luzerne County Conservation District (570) 674-7991
Lehigh Township Northampton County	PAG2004805046	John J. Voortman 4780 Vera Cruz Rd. Center Valley, PA 18034	Tributary to Lehigh River (PA 903 Bridge to Allentown Dam) CWF	Northampton County Conservation District (610) 746-1971
Borough of Chambersburg Franklin County	PAG2002806020	Woodstock Townhomes Antonia Mourtil 574 Middle Neck Road Great Neck NY 11023	UNT Conococheague CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Borough of Waynesboro Franklin County	PAG2002806022	Encore Developers, LLC P. O. Box 912 Waynesboro PA 17268	UNT to Antietam Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Greene Township Franklin County	PAG2002806029	Rite Aid #232-04 Susan Whaley RP Fayetteville, LLC P. O. Box 3247 Gettysburg PA 17325	Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Hamilton and Fannett Townships Franklin County	PAG2002806030	PL-1 Pressure Restoration Sites Paul Ruppert Dominion Transmission Inc 445 West Main Street Clarksburg WV 26301	Back Creek CWF Tuscora Creek TSF/CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Upper Bern Township Berks County	PAG2000606016	Robert Ciccone 6866 Christphalt Drive Bath, PA 18014	Trib to Mill Creek TSF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201

<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>
Derry Township Dauphin County	PAG2002206027	The Hershey Trust Co. 100 Mansion Road East Hershey, PA 17033	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Lower Paxton Township Dauphin County	PAR10I269R	Eastern Development & Planning, Inc. 7300 Derry Street Harrisburg, PA 17111	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Lower Paxton Township Dauphin County	PAG2002206029	Central Dauphin School District 600 Rutherford Road Harrisburg, PA 17109-5227	Spring Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Allegheny County Moon Township	PAR10A499R	True Line Corporation 6 Commerce Drive Pittsburgh, PA 15239	Flaugherty Run (WWF)	Allegheny County Conservation District (412) 241-7645
Allegheny County South Fayette Township	PAR10A5582	MHM Partners 409 Broad Street Sewickley, PA 15143	Millers Run Coal Run (CWF)	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000205022-1	Echo Richland Associates 701 Alpha Drive Pittsburgh, PA 15238	Deer Creek (CWF)	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000206010	Richland Holdings, LLC 1426 Pittsburgh Road Valencia, PA 16059	Deer Creek (CWF)	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG2000206018	Gordon Food Services, Inc. P. O. Box 1787 Grand Rapids, MI 49501-1787	Thompson Run (WWF)	Allegheny County Conservation District (412) 241-7645
Allegheny County Ross Township	PAG2000206019	Heintz Builders P. O. Box 1918 Cranberry Township, PA 16066	Girtys Run (WWF)	Allegheny County Conservation District (412) 241-7645
Allegheny County Findlay Township	PAG2000206024	Maronda Homes, Inc. 202 Park West Drive Pittsburgh, PA 15275	Montour Run (TSF)	Allegheny County Conservation District (412) 241-7645
Allegheny County McCandless Twp	PAG2000206026	Newfoundland Group 5200 Brooktree Road Suite 320 Wexford, PA 15090	Pine Creek (CWF)	Allegheny County Conservation District (412) 241-7645
Allegheny County Pleasant Hills Boro	PAG2000206027	Dollar Bank 3 Gateway Center, Suite 9E Pittsburgh, PA 15222	Monongahela River (WWF)	Allegheny County Conservation District (412) 241-7645
Allegheny County Pittsburgh	PAG2000206030	Department of Public Works 301 City-County Building 414 Grant Street Pittsburgh, PA 15219	Ohio River (WWF)	Allegheny County Conservation District (412) 241-7645
Allegheny County South Park Township & Bethel Park	PAG200206031	Allegheny County Department of Public Works 501 County Office Building 542 Forbes Avenue Pittsburgh, PA 15219	Lick Run (WWF)	Allegheny County Conservation District (412) 241-7645

## NOTICES

3333

<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>
Allegheny County Plum Borough	PAG2000206042	Allegheny County Parks Department 211 County Office Building 542 Forbes Avenue Pittsburgh, PA 15219	Piersons Run (TSF)	Allegheny County Conservation District (412) 241-7645
Washington County North Strabane Twp	PAG20006306015	Hampton Inn & Suites Racetrack Road Hotel, LP 375 Southpointe Boulevard Suite 410 Canonsburg, PA 15317	Chartiers Creek (WWF)	Washington County Conservation District (724) 228-6774
Edinboro Borough Erie County	PAG2002506004	H.A.N.D.S. 502 East 12th Street Erie, PA 16503	Darrows Creek WWF	Erie Conservation District (814) 825-6403
City of Hermitage Mercer County	PAG2004306008	Ronald Anderson UDE of Freeway, LTD 1607 Motor Inn Drive Girard, OH 44420	UNT Bobby Run WWF	Mercer Conservation District (724) 662-2242
City of Hermitage Mercer County	PAG2004306009	Donald M. Carlson Carlson & McGinley Real Estate Services, Inc. 106 South 18th Street Pittsburgh, PA 15203 and Co-permittee Edwin D. Pope FWG Real Estate, LLC Birmingham Towers Suite 710 2100 Wharton Street Pittsburgh, PA 15203	UNT Shenango River WWF	Mercer Conservation District (724) 662-2242
Tioga County Middlebury Township	PAG2005906011	William Moral 940 Long Mill Road Telford, PA 18969	North Run WWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 101

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Mifflin County Granville Township	PAR113522	GE Inspection Technologies, LP 50 Industrial Park Road Lewistown, PA 17044	Juniata River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Southampton Township	PAR123551	Wenger's Feed Mill, Inc. 101 West Harrisburg Ave. Rheems, PA 17570	UNT to Furnace Run CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Delaware Township Northumberland County	PAR204808 (Stormwater)	Hoeganaes Corporation 1001 Taylors Lane Cinnaminson, NJ 08077-2017	UNT to Muddy Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3666

<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 Hills Township Allegheny County	PAR606175	ACE Auto Wrecking, Inc. 4550 Verona Road Verona, PA 15147	Sandy Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
City of Erie Erie County	PAR808381	Watkins Motor Lines, Inc. 1144 West Griffin Road Lakeland, FL 33805	City of Erie storm sewers to Lake Erie Outer Harbor	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<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>
Blair County Frankstown Township	PAG043658	Christi Owen R. R. 3, Box 499 Hollidaysburg, PA 16648	UNT to Oldtown Run WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Athens Township Bradford County	PAG045218	William and Mary Timm 147 Murray Creek Road Athens, PA 18810	Murray Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Westfield Township Tioga County	PAG045215	Rodney J. Cowburn 340 Church Street Westfield, PA 16950	Broughton Hollow WWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Rome Township Bradford County	PAG045214	Ronald L. and Linda D. Smith R. R. 1, Box 573 Union Valley Road Ulster, PA 18850	Parks Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Allegheny County Plum Borough	PAG046115	James and Marlene McKinnon 1642 Old Leechburg Road New Kensington, PA 15068-9367	Tributary to Little Plum Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington County Amwell Township	PAG046102	Elisabeth M. Morris 559 Waynesburg Road Washington, PA 15301-3272	Little Ten Mile Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

## NOTICES

3335

<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>
Allegheny County Jefferson Borough	PAG046109	James B. Husser 4043 Bedell Road Finleyville, PA 15332	Lobbs Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Westmoreland County Rostraver Township	PAG046326	Craig Dongilli 308 Van Meter Road Belle Vernon, PA 15012	UNT of Youghiogeny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Pittsfield Township Warren County	PAG049263	Eric W. Sproveri 304 1/2 E. Main Street Youngsville, PA 16371	UNT to Gar Run 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Clarion County	PAG048759	Jennifer A. and Ronald J. Grooms 1423 Marble Strobleton Road Lucinda, PA 16235-5013	UNT to Mahles Run 17-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Cussewago Township Crawford County	PAG049257	Brian A. Miller 23511 Fry Road Venango, PA 16440	UNT to French Creek 16-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pine Grove Township Warren County	PAG049259	Connie C. Todryk 12905 California Street Yucaipa, CA 92399	Wiltsie Run 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Sugar Grove Township Mercer County	PAG048977	Gary M. Chizmar 4639 Pitts Road Adamsville, PA 16110	UNT to Crooked Creek 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Union Township Crawford County	PAG048728	Matthew D. Higham 18376 Barber Road Meadville, PA 16335	UNT to French Creek 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Springfield Township Mercer County	PAG048710	Dennis Shadron 1293 South Perry Highway Mercer, PA 16137	UNT to Breakneck Creek 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Girard Township Erie County	PAG049248	Michael R. Sorze 3144 West 23rd Street Erie, PA 16506	UNT to Elk Creek 15-EC	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Franklin Township Erie County	PAG048768	Jeffrey S. McIntyre 7405 Old State Road Edinboro, PA 16412	UNT to Little Elk Creek 15-EC	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<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>
Hayfield Township Crawford County	PAG049252	Gary E. Hawk 17632 S. Norrisville Road Conneautville, PA 16406	UNT to Rundelstown Creek 16D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Erie County	PAG048764	Roy A. and Luann M. Strobel 5721 Gibson Hill Road Edinboro, PA 16412	UNT to Conneauttee Creek 16-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Penn Township Butler County	PAG048386	Theodore N. Boyda 236 Renfrew Road Renfrew, PA 16053	Thorn Creek 20-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-7*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Quincy, MA	PAG079914	New England Organics 135 Presumpscot ST, Unit 1 Portland, ME 04103	New England Fertilizer Company 97 East Howard Street Quincy MA 02169	BWSFR (717) 787-8184

*General Permit Type—PAG-10*

<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>
Springdale Borough Allegheny County	PAG106105	United Refining Company P. O. Box 780 15 Bradley Street Warren, PA 16365-0780	Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is

not needed to file an appeal with the Board.

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

### SAFE DRINKING WATER

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

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

**Permit No. 5595501-T1—Operation** Public Water Supply.

Applicant	<b>Perry Township Municipal Authority</b>
Township or Borough	Perry Township
County	<b>Snyder</b>
Responsible Official	Belinda Courtney Perry Township Municipal Authority 9351 Route 35 Mt. Pleasant Mills, PA 17853
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A

Permit Issued Date 6/14/06  
 Description of Action Transfer and operation of the Church Hills Estates system for Perry Township Municipal Authority. The facility includes Well No. 1, sodium hypochlorite facilities, a 137,000 gallon steel standpipe and the distribution system.

**Permit No. 1404501—Operation** Public Water Supply.

Applicant **Orchard Creek Partnership**  
 Township or Borough Benner Township  
 County **Centre**  
 Responsible Official Louis Glantz, President  
 Orchard Creek Partnership  
 1901 East College Avenue  
 State College, PA 16801

Type of Facility Public Water Supply—Operation  
 Consulting Engineer Brooks Harris, P. E.  
 ELA Group, Inc.  
 2013 Sandy Drive, Suite 103  
 State College, PA 16803

Permit Issued Date 6/19/06  
 Description of Action Operation of a new source of supply, Opequon Well No. 1, distribution system and detention piping to serve the Opequon Hill Subdivision. Disinfection, sequestration and finished water storage will be provided through the existing Hampton Hills Subdivision public water supply.

**Permit No. M.A.—Operation** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 Township or Borough Milton Borough  
 County **Northumberland**  
 Responsible Official Paul A. Zielinski, Director  
 Environmental Mgmt. & Compliance  
 Pennsylvania American Water Company  
 800 West Hersheypark Drive  
 Hershey, PA 17033

Type of Facility Public Water Supply—Operation  
 Consulting Engineer Scott Thomas, P. E.  
 Pennsylvania American Water Company  
 800 West Hersheypark Avenue  
 Hershey, PA 17033

Permit Issued Date 6/19/06  
 Description of Action Blasting and painting of the interior and exterior of the 650,000-gallon Clarifier/Flocculator No. 1 located at the Milton water filtration plant.

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

**Permit No. 5636541**, Public Water Supply.  
 Applicant **Al's Water Service, Inc.**  
 2699 Jefferson Avenue  
 Washington, PA 15301  
 Borough or Township Canton Township  
 County **Washington**  
 Type of Facility Bulk Water Hauling Facility  
 Consulting Engineer Sawyer Engineering  
 205 Robinhood Lane  
 McMurray, PA 15317  
 Permit to Construct May 11, 2006  
 Issued

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

**Permit No. 6200504-MA2**, Minor Amendment

Applicant **Youngsville Borough**  
 Borough or Township Youngsville Borough  
 County **Warren**  
 Type of Facility Public Water Supply  
 Permit to Construct 06/15/2006  
 Issued

**Permit No. 844W-T1-MA1**, Minor Amendment

Applicant **Mt. Jewett Borough Authority**  
 Borough or Township Mt. Jewett Borough  
 County **McKean**  
 Type of Facility Public Water Supply  
 Permit to Construct 06/19/2006  
 Issued

**Permit No. 6205501**, Public Water Supply

Applicant **Pennsylvania American Water Company**  
 Borough or Township Glade Township  
 County **Warren**  
 Type of Facility Public Water Supply  
 Permit to Construct 06/19/2006  
 Issued

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location: between US 15 and Lake Heritage in both Straban and Mt. Joy Townships, Adams County.*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Straban and Mt. Joy Townships	1745 Granite Station Road Gettysburg, PA 17325	Adams
	902 Hoffman Home Road Gettysburg, PA 17325	

*Plan Description:* The approved plan provides for the installation of a new pump station, approximately 1,400 feet of eight inch gravity sewer and 8,000 feet of four inch force main. The name of the project is White Run Municipal Authority and the DEP Code No. are A3-01929-244-34m and A3-01924-193-3m. 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 authority.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Antis Township	909 North Second Street Bellwood, PA 16617	Blair

*Plan Description:* The approved plan provides for the extension of sanitary sewer collection service to the North Sixth Street area of the township to serve 10 existing homes with malfunctioning on lot sewage systems. 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>
King Township	634 South Imler Valley Road Osterburg, PA 16667	Bedford

*Plan Description:* The approved plan provides for an extension of public sewers to serve four existing single family residences (1080 gpd sewage flow). 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.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Marion Township	485 Hartzell School Road Fombell, PA 16123	Beaver

*Plan Description:* The approved plan provides for construction of a 6,000-gallon per day sewage treatment plant to serve six existing residential apartment buildings and one cottage. The property is located at Brush Creek Road and Wisers Grove Road. The proposed discharge point is Brush Creek, classified as a WWF. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate. The Department's review of the sewage facilities revision has not identified any significant impacts resulting from this proposal.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Farmington Township	32691 Route 66 Leeper, PA 16233	Clarion

*Plan Description:* The approved plan provides for proposed extensions of the existing sewerage collection system north to serve the Village of Crown and the Route 66 Corridor south of Leeper. The sewer project will serve 132 EDUs using both small diameter pressure sewers with grinder pumps and conventional gravity sewers and pump stations. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 2

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

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

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in the Department regional office after which the notice of receipt of plans or reports appears. If information 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.*



**Schoenfellinger Res.** New Britian Township, **Bucks County**. Richard Trimpi, Trimpi Associates, Inc. 1635 Old Plains Rd., Pennsburg, PA 18073 on behalf of Jen Konefal, 782 Township Line Rd., Chalfont, PA 18914 has submitted a Final Report concerning remediation of site soil contaminated with No. 2. fuel oil. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standard.

**Domus Apts 34th & Chestnut St.** City of Philadelphia, **Philadelphia County**. Jamey Stynchula, Pennoni Assoc., Inc., 3001 Market St., Philadelphia, PA 19104 on behalf of Ira Kauderer, University of Philadelphia, 133 S. 36th St., Suite 3000, Philadelphia, PA 19104 has submitted a Remedial Investigation Report, Cleanup Plan and Final Report concerning remediation of site soil contaminated with semivolatle organic compounds and PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Inglis Apt at Elmwood,** City of Philadelphia, **Philadelphia County**. Scott Smith, Powell-Harpstead, 800 E. Washington St., West Chester, PA 19380 on behalf of Arthurette Morris-Stone, Inglis Housing Corp., 2600 Belmont Ave., Philadelphia, PA 19131 has submitted a Final Report concerning remediation of site soil contaminated with other organic. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Liberty Knoll Apt,** New Garden Township, **Chester County**. Joseph Diamadi, Jr. Marshall Geoscience, Inc., 170 E. First Ave, Collegeville, PA 19426 on behalf of Clyde Spinelli, Media Real Estate Co., Inc. 203 E. Baltimore Ave., Media, PA 19063 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Teledyne-AMCO Facility,** Mohnton Borough, **Berks County**. MACTEC Engineering and Consulting, Inc., 5202 Militia Hill Road, Plymouth Meeting, PA, 19462-1216, on behalf of TDY Industries, Inc., 1000 Six PPG Place, Pittsburgh, PA, 15222, submitted a Cleanup Plan concerning remediation of site soil, groundwater and surface water contaminated with solvents. The applicant is seeking to remediate to a combination of Site-Specific and Statewide Health Standards.

**Bon Secours Holy Family Regional Health System,** Altoona City, **Blair County**. Mountain Research, 825 25th Street, Altoona, PA, 16601, on behalf of Bon Secours Holy Family Regional Health System, 2500 Seventh Avenue, Altoona, PA, 16601, submitted a Final Report concerning remediation of site soils and groundwater contaminated with diesel fuel. The report is intended to document remediation of the site to the Statewide Health Standard.

**Charles Ness Estate,** Manchester Township, **York County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA, 17011, on behalf of Charles Ness Estate, Cathy Ness Anderson, Executor, P. O. Box 144, Felton, PA, 17322 and Johnston Construction, P. O. Box 97, Dover, 17315-0097, submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the Statewide Health Standard under the low risk policy.

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

**Zuck Road Property Tract 78 (formerly known as Legacy Woods Condominiums),** Millcreek Township, **Erie County**. Burt Waite, Moody & Associates, inc., 11548 Cotton Road, Meadville, PA 16335 on behalf of Peter and Mary Fedorka, 2500 South Shore Drive, Erie, PA 16505 has submitted a Remedial Investigation Report and a Cleanup Plan concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the Environmental Cleanup Program manager in the Department regional office before which the notice of the plan or report appears. If information concerning a final report is required in an alternative

form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Messiah College Hoffman UST Release**, Upper Allen Township, **Cumberland County**. HRP Associates, Inc., 4811 Jonestown Road, Suite 235, Harrisburg, PA, on behalf of Messiah College, One College Avenue, Grantham, PA 17027, submitted a Final Report concerning remediation of site soils contaminated with No. 2 heating oil. The site was determined to qualify for the Department's low-risk sites program, and the findings of the Final Report were based upon the judgment of James LaRegina, P. G., who is the Pennsylvania licensed professional under whose seal the Report was submitted. A thorough technical review was not performed by Department staff on this report. The site was afforded liability protection as outlined in Chapter 5 of Act 2 in a letter dated June 5, 2006.

**Adhesives Research**, Springfield Township, **York County**. URS Corporation, 5010 Ritter Road, Suite 101, Mechanicsburg, PA, 17055, on behalf of Adhesives Research, Inc., 400 Seaks Run Road, P. O. Box 100, Glen Rock, PA 17327, submitted a Final Report within 90 days of release concerning remediation of site soils contaminated with VOCs. The Final Report demonstrated attainment of the residential Statewide Health Standard and was approved by the Department on June 7, 2006.

**Newark Paperboard Products, Mercer Division**, Manchester Township, **York County**. EPSYS Corporation, 1414 North Cameron Street, Suite A, Harrisburg, PA 17103, on behalf of Robert H. Mullen, The Newark Group, Inc., 20 Jackson Drive, Cranford, NJ 07016 and Rick Theriault, The Newark Group, Inc., 100 South Kimball Street, Bradford, MA 01835, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with No. 2 fuel oil. The final Report demonstrated attainment of the residential Statewide Health Standard and was approved by the Department on June 8, 2006.

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

**Permit approved under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate solid waste processing or disposal area or site.**

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

**Permit No. 301315. PPL Montour, LLC**, 18 McMichael Road, Washingtonville, PA 17884, for Ash Basin 1 at the PPL Montour Steam Electric Plant located in Derry Township, **Montour County**. The major permit modification for the groundwater abatement plan for a residual waste disposal impoundment originally approved by the Williamsport Regional Office on May 19, 2006, was rescinded on June 16, 2006, to allow the balance of the 60-day public comment period to be fulfilled.

Comments concerning the application should be directed to David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101,

Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, (570) 327-3653. TDD users may contact the Department of Environmental Protection through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 40 days of this notice and may recommend revisions to and approval or denial of the application.

### **AIR QUALITY**

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

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

**40-302-159GP1: Freedom Corrugated** (595 Oak Ridge Road, Hazleton, PA 18202) on June 14, 2006, to construct and operate Johnston Boiler No. 1 in the Humboldt Industrial Park, Hazle Township, **Luzerne County**.

**40-302-160GP1: Freedom Corrugated** (595 Oak Ridge Road, Hazleton, PA 18202) on June 14, 2006, to construct and operate Johnston Boiler No. 2 in the Humboldt Industrial Park, Hazle Township, **Luzerne County**.

**40-302-161GP1: Fairchild Semiconductor Corp.** (125 Crestwood Road, Mountaintop, PA 18707) on June 14, 2006, to construct and operate of Cleaver Brooks Boiler No. 3 at the facility in the Crestwood Industrial Park, Wright Township, **Luzerne County**.

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

**GP3-06-03137: H. B. Mellott Estate, Inc.** (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) on June 14, 2006, for Portable Nonmetallic Mineral Processing Plant under GP3 in Ontelaunee Township, **Berks County**.

**GP11-06-03137: H. B. Mellott Estate, Inc.** (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) on June 14, 2006, for Nonrod Engines under GP11 in Ontelaunee Township, **Berks 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.*

**09-0126B: Air Liquide Electronics U. S., LP** (19 Steel Road W., Morrisville, PA 19067) on June 20, 2006, to operate a wet scrubber in Falls Township, **Bucks County**.

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

**39-313-046: ACME Cryogenics, Inc.** (2801 Mitchell Avenue, Allentown, PA 18103) on June 8, 2006, to install

an air cleaning device (replacement) to capture emissions from a brass and copper dipping operation at the facility in Allentown, **Lehigh County**.

**45-310-039: Locust Ridge Quarry** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on June 13, 2006, to construct a particle separator and associated air cleaning device in Tobyhanna Township, **Monroe County**.

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

**21-05011A: Frog Switch and Manufacturing Co.** (600 E. High Street, P. O. Box 70, Carlisle, PA 17013) on June 14, 2006, to replace a natural gas fired heat treat furnace in Carlisle Borough, **Cumberland County**.

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

**10-027E: Penreco** (138 Petrolia Street Karns City, PA 16041) on May 31, 2006, to construct a new gas/oil fired boiler rated at 91 mmBtu/hr to replace the existing coal fired boiler in Karns City Boro, **Butler County**. The new boiler is subject to the New Source Performance Standards (NSPS) for boilers greater than 10 mmBtu and less than 100 mmBtu. The facility 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.*

**09-0050C: Hanson Aggregates BMC, Inc.** (P. O. Box 231, Easton, PA 18044) on June 16, 2006, to operate a drum mix asphalt plant in Wrightstown Township, **Bucks County**.

**09-0152: Gelest, Inc.** (612 William Leigh Drive, Tullytown, PA 19007) on June 15, 2006, to operate equipment for speciality chemicals in Falls Township, **Bucks County**.

**23-0094: CCL Label, Inc.** (1515 Garnet Mine Road, Boothwyn, PA 19061) on June 15, 2006, to operate a two rotogravure printing presses in Bethel Township, **Delaware County**.

**46-0027A: Johnson & Johnson Pharmaceutical Research & Development, LLC** (Welsh and McKean Roads, Spring House, PA 19477) on June 16, 2006, to operate a selective catalytic reduction in Lower Gwynedd Township, **Montgomery County**.

**46-0166: M & M Stone Co.** (P. O. Box 189, Telford, PA 18969-0189) on June 15, 2006, to operate a batch asphalt plant in Lower Salford Township, **Montgomery County**.

**46-0221: Upper Moreland Hatboro Joint Sewer Authority** (P. O. Box 535/2875 Terwood Road, Willow Grove, PA 19090) on June 16, 2006, to operate a tri-mer odor scrubbers in Upper Moreland Township, **Montgomery County**.

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

**36-05015C: Dart Container Corp. of PA** (P. O. Box 546, Leola, PA 17540) on June 16, 2006, to use landfill

gas as a fuel in their facility's boilers at their Leola plant in Upper Leacock Township, **Lancaster County**. This plan approval was extended.

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

**08-00012A: Cargill Meat Solutions Corp.** (P. O. Box 188, Wyalusing, PA 18853) on June 13, 2006, to operate a 41.84 million Btu per hour natural gas, No. 2 fuel oil, tallow and biogas-fired boiler and a biogas flare on a temporary basis until October 11, 2006, in Wyalusing Township, **Bradford County**. The plan approval has been extended.

**49-00005B: Hoeganaes Corp.** (4330 Paradise Road, Watsonstown, PA 17777) on June 15, 2006, to operate the insulated particles process identified in the respective plan approval on a temporary basis until October 27, 2006, at the Watsonstown Plant in Delaware Township, **Northumberland County**.

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

**30-00099D: Allegheny Energy Supply Co., LLC** (800 Cabin Hill Drive, Greensburg, PA 15601) on June 12, 2006, to allow completion of stack testing at the Hatfield Power Station in Monongahela Township, **Greene County**. This plan approval was extended.

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

**10-027E: Penreco** (138 Petrolia Street Karns City, PA 16041) on May 31, 2006, to construct a new gas/oil fired boiler rated at 91 mmBtu/hr to replace the existing coal fired boiler in Karns City Boro, **Butler County**. The new boiler is subject to the New Source Performance Standards for boilers greater than 10 mmBtu and less than 100 mmBtu. The facility is a Title V Facility.

**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.*

**28-03028: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664-0077) on June 14, 2006, to operate an existing limestone crushing plant and an existing concrete batch plant for the facility (Dry Run Quarry) in Fannett Township, **Franklin County**. This is a renewal of the State-only operating permit.

**36-03147: A & M Composting, Inc.** (2022 Mountain Road, Manheim, PA 17545-9517) on June 12, 2006, to operate their sludge composting facility in Penn Township, **Lancaster County**.

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

**04-00006: Brighton Steel, Inc.** (510 45th Street, Beaver Falls, PA 15010) for operation of a steel foundry facility at the Beaver Falls Casting Plant in **Beaver County**. This is a State-only Operating Permit.

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

**N05-008: Erie Steel, Ltd.** (3630 North 2nd Street, Philadelphia PA 19140) on June 16, 2006, to operate a metal coil surface coating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include 15,565 lb steel/ hr Coiled Steel Coater and a 3.4 mmBtu/hr natural gas fired VOC incinerator with recuperator.

**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.**

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

**37-00013: CEMEX, Inc.** (2001 Portland Park, Wampum, PA 16157) on June 9, 2006, for an administrative amendment to their Title V Operating Permit in Wampum Borough, **Lawrence County**.

In accordance with 25 Pa. Code § 127.462, the Department issued a minor operating permit modification of the facility's Title V Operating Permit. The minor operating permit modification was made to remove conditions that were errantly placed into the reissued permit. The conditions are not essential for the permittee's compliance with applicable standards. No comments were received during the public comment period for these changes.

**33-00055: Glen-Gery Corp.** (Route 28, Summerville, Pa. 15864) on June 13, 2006, for an Administrative Amendment of the Title V Operating Permit, to incorporate the conditions of Plan Approval No. 33-055B. The facility is located in Summerville Borough, **Jefferson County**.

**43-00039: Glenn O. Hawbaker, Inc.** (73 Glacial Till Road, Grove City, PA 16127-4019) on June 19, 2006, for an administrative amendment of Synthetic Minor Permit to change the name and address of the facility, change the name of permit contact and responsible official. These changes are because of change of ownership.

**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.*

**30841320 and NPDES Permit No. PA0213861. Dana Mining Company of PA, Inc.** (P. O. Box 1170, Morgantown, WV 26507), to renew the permit for the Dooley Run Mine in Dunkard Township, **Greene County** and related NPDES permit. No additional discharges. Application received: July 29, 2005. Permit issued: June 12, 2006.

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

**56950103 and NPDES No. PA0213071. Heritage Mining Company,** P. O. Box 126, Cresson, PA 16630, permit renewal for reclamation only of a bituminous surface auger mine in Shade Township, **Somerset County**, affecting 78.5 acres. Receiving streams: UNTs to/and Oven Run; UNTs to/and Stony Creek River, classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 20, 2006. Permit issued June 13, 2006.

**32940105 and NPDES Permit No. PA0212806. Keystone Coal Mining Corporation,** P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774, permit renewal for reclamation only of a bituminous surface mine in Center Township, **Indiana County**, affecting 180.0 acres. Receiving stream: UNT to Yellow Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Edison Mission Energy Homer City Generating Station, PWS ID No. 5320802. Application received: February 28, 2005. Permit issued: June 12, 2006.

**32010103 and NPDES No. PA0248959. KMP Associates Inc.,** 1094 Lantz Road, Avonmore, PA 15618-1241, permit renewal for reclamation only of a bituminous surface mine in Conemaugh Township, **Indiana County**, affecting 8.5 acres. Receiving streams: UNTs to Big Run, classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 26, 2006. Permit issued: June 13, 2006.

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

**26050107 and NPDES Permit No. PA0250741. Amerikohl Mining, Inc.** (1384 SR 711, Stahlstown, PA 15687-1301). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in Stewart Township, **Fayette County**, affecting 162.6 acres. Receiving streams: UNTs to Cucumber Run. Application received: June 16, 2005. Permit issued: June 14, 2006

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

**24030101 and NPDES Permit No. PA0242306. Tamburlin Brothers Coal Co., Inc.** (P. O. Box 1419, Brockport, PA 15823). Commencement, operation and restoration of a bituminous strip operation in Horton Township, **Elk County** affecting 53.2 acres. Receiving streams: Little Toby Creek. Application received: February 6, 2003. Permit Issued: June 8, 2006.

**10060101 and NPDES Permit No. PA0258091. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous strip operation in Clay Township, **Butler County** affecting 89.9 acres. Receiving streams: UNT to South Branch Findley Creek. Application received: January 6, 2006. Permit Issued: June 14, 2006.

**10-05-01 and NPDES Permit No. PA0242667. Denis Tiche** (222 Goff Station Rd., Boyers, PA 16020). Proposal to enter into a Government Financed Construction Contract on a 11.3 acre site in Venango and Marion Townships, **Butler County**. The proposal includes the reclamation of 900 feet of abandoned highwall while remaining 2.9 acres of coal incidental and necessary to the reclamation activities. Receiving streams: Seaton Creek. Application received: March 25, 2005. Permit Issued: June 14, 2006.

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

**14820103 and NPDES No. PA0611719. Junior Coal Contracting, Inc.** (2330 Six Mile road, Philipsburg, PA 16866), permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Rush Township, **Centre County**, affecting 199.4 acres. Receiving streams: UNT to Trout Run and UNT to Moshannon Creek for the following use: CWF. Application received: January 20, 2006. Permit renewed: June 8, 2006.

*Noncoal Permits Actions*

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

**26060601 and NPDES Permit No. PA0250872. T & B Excavating** (336 Old McClellandtown Road, P. O. Box 337, McClellandtown, PA 15458). Permit issued for commencement, operation, and reclamation of a large noncoal surface mining site (sandstone quarry) located in Nicholson Township, **Fayette County**, affecting 17.9 acres. Receiving streams: UNTs to York Run. Application received: February 23, 2006. Permit issued: June 14, 2006.

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

**42060801. William K. Robinson** (P. O. Box 76, Roulette, PA 16746). Commencement, operation and restoration of a small noncoal bluestone operation in Liberty Township, **McKean County**. Receiving streams: Two Mile Creek. Application received: April 19, 2006. Permit Issued: June 9, 2006.

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

**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. NPDES Permit issued: June 6, 2006.

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

**7474SM2C6 and NPDES Permit No. PA0124303. Essroc Cement Corp.** (Route 248 and Easton Road, Nazareth, PA 18064), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Upper and Lower Nazareth Townships, **Northampton County**. Receiving stream: UNT to Shoeneck Creek. Application received: January 23, 2006. Renewal issued: June 15, 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.**

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

**14064013. HRI, Inc.** (1750 W. College Ave., State College, PA 16801), blasting for SR 322, Section No 2, detention pond and trench, located in Harris Township, **Centre County**. Permit issued June 16, 2006. Permit expiration date is: December 30, 2006.

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

**09064117. Rock Work, Inc.** (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Coventry Meadows in Hilltown Township, **Bucks County** with an expiration date of June 30, 2007. Permit issued June 12, 2006.

**09064118. Rock Work, Inc.** (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Heritage Center in Buckingham Township, **Bucks County** with an expiration date of June 30, 2007. Permit issued June 12, 2006.

**15064117. Rock Work, Inc.** (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Weatherstone Development in West Vincent Township, **Chester County** with an expiration date of June 30, 2007. Permit issued June 12, 2006.

**21064145. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Trindle Springs Heights in Hampden Township, **Cumberland County** with an expiration date of June 10, 2007. Permit issued June 12, 2006.

**28064155. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Liberty Property Trust in Guilford Township, **Franklin County** with an expiration date of June 30, 2007. Permit issued June 12, 2006.

**28064156. Geological Technologies, Inc.** (P. O. Box 70, Falling Waters, WV 25419), construction blasting for L & S Stone North Plant parking lot in Antrim Township, **Franklin County** with an expiration date of May 18, 2007. Permit issued June 12, 2006.

**36064162. Gerlach's Drilling & Blasting** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for Woods Edge Development in Manor Township, **Lancaster County** with an expiration date of June 15, 2007. Permit issued June 12, 2006.

**39064109. Schlouch, Inc.** (P. O. Box 69, Blandon, PA 19510), construction blasting for Harvest Fields in Lower Macungie Township, **Lehigh County** with an expiration date of June 1, 2007. Permit issued June 12, 2006.

**67064121. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Kingswood Estates in Springettsbury Township, **York County** with an expiration date of June 30, 2007. Permit issued June 12, 2006.

**06064114. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction

blasting for Wyomissing Borough Sanitary Sewer in Wyomissing Borough, **Berks County** with an expiration date of June 15, 2007. Permit issued June 13, 2006.

**06064115. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting for Heritage Mews in Exeter Township, **Berks County** with an expiration date of June 15, 2007. Permit issued June 13, 2006.

**36064161. Gerlach's Drilling & Blasting** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for Lupine Meadows in Mt. Joy Township, **Lancaster County** with an expiration date of June 15, 2007. Permit issued June 13, 2006.

**38064115. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Mark Hershey Farms Grain Silos in West Lebanon Township, **Lebanon County** with an expiration date of June 30, 2007. Permit issued June 13, 2006.

**28064005. Jemco, Inc.** (3338B Prices Distillery Road, Ijamsville, MD 21754), construction blasting at Falling Springs Estates in Guilford Township, **Franklin County** with an expiration date of May 9, 2007. Permit issued June 13, 2006.

**36064007. AJT Blasting, LLC** (P. O. Box 20412, Bethlehem, PA 18002), construction blasting for Sewer Main Replacement in Ephrata Borough, **Lancaster County** with an expiration date of August 28, 2006. Permit issued June 13, 2006.

**28064006. Rogele, Inc.** (1025 South 21st Street, Harrisburg, PA 17104), construction blasting for Greencastle Area Water Authority water main extensions and replacements in Antrim Township, **Franklin County** with an expiration date of July 31, 2006. Permit issued June 14, 2006.

**09064119. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Warwick Office Park in Warwick Township, **Bucks County** with an expiration date of March 30, 2007. Permit issued June 14, 2006.

**35064109. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Greenwood Estates in Moosic Borough, **Lackawanna County** with an expiration date of July 31, 2007. Permit issued June 14, 2006.

**45064143. Ed Wean Drilling & Blasting, Inc.** (112 Ravine Road, Stewartsville, NJ 08886), construction blasting for Leisure Lands in Middle Smithfield Township, **Monroe County** with an expiration date of June 8, 2007. Permit issued June 14, 2006.

**52064122. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for Pocono Ranchlands in Lehman Township, **Pike County** with an expiration date of June 12, 2007. Permit issued June 14, 2006.

**64064108. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for Paupacken Lake Estates in Lake and Paupack Townships, **Wayne County** with an expiration date of June 12, 2007. Permit issued June 14, 2006.

**67064120. Fitz & Smith, Inc.** (P. O. Box 178, Dalstown, PA 17313), construction blasting for Laurel Manor Sanitary Sewer in Dover Township, **York County** with an expiration date of June 17, 2007. Permit issued June 14, 2006.

**67064122. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Farm Lane Estates in Jackson Township, **York County** with an expiration date of June 30, 2007. Permit issued June 14, 2006.

**67064123. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Briarcliff Subdivision in Fairview Township, **York County** with an expiration date of June 30, 2007. Permit issued June 14, 2006.

**67064124. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for ECI Wireless Frogtown in Monaghan Township, **York County** with an expiration date of June 30, 2007. Permit issued June 14, 2006.

**09064116. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for The Arbours at Morgan Creek in Richland Township, **Bucks County** with an expiration date of June 11, 2007. Permit issued June 15, 2006.

**21064147. John W. Gleim, Jr., Inc.** (625 Hamilton Street, Carlisle, PA 17013), construction blasting for Pine Creek in North Middleton Township, **Cumberland County** with an expiration date of October 15, 2006. Permit issued June 15, 2006.

**28064157. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Nicholson Square in Chambersburg Borough, **Franklin County** with an expiration date of June 30, 2007. Permit issued June 15, 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**

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

**E45-464. Jim Schlier**, P. O. Box 471, Tannersville, PA 18372. Pocono Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To place fill in a de minimis area of wetlands equal to 0.01 acre for the purpose of expanding the usable area of a commercial property. The project is located between SR 0080 and SR 4004 (Camelback Road), approximately 0.4 mile south of Interchange 44 (Mount Pocono, PA Quadrangle N: 8.8 inches; W: 9.2 inches) in Pocono Township, Monroe County.

**E64-253. Great Valley Nature Center**, Route 29 and Hollow Road, P. O. Box 82, Devault, PA 19432. Dreher Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 6-inch PVC screened dry hydrant intake structure along the northern shoreline of an existing man-made pond and across approximately 20 LF of EV, PEM wetlands and to modify and maintain an existing road crossing of a tributary to Mill Creek (HQ-CWF), with work including minor grading in the floodway for the purpose of constructing roadway improvements. The activities are part of the development of a residential education center known as Great Valley Nature Center—North. The project is located on the north side of SR 0507, approximately 0.5 mile west of the intersection of SR 0507 and SR 0196. (Sterling, PA Quadrangle N: 4.7 inches; W: 0.2 inch). (Subbasin: 01C)

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

**E22-503. Ned Smith Center for Nature and Art**, 176 Water Company Road, Millersburg, PA 17061 in Upper Paxton Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a 10-foot wide, 2-span pedestrian bridge having normal spans of 100 feet and 136 feet and underclearances of 10 feet and 17.8 feet respectively across Wiconisco Creek (TSF) located at the Ned Smith Center (Millersburg, PA Quadrangle, N: 6.5 inches; W: 7.0 inches; Latitude: 40° 32' 07"; Longitude: 76° 55' 31") in Upper Paxton Township, Dauphin County.

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

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

1. The construction and maintenance of a stream restoration project in and along Shobers Run (HQ-CWF) beginning at the T-408 bridge (Rainsburg, PA Quadrangle N: 21.75 inches, W: 1.25 inches; Latitude: 39° 59' 39", Longitude: 78° 30' 33") and ending 7,787 feet upstream (Rainsburg, PA Quadrangle N: 19.65 inches, W: 3.42 inches; Latitude: 39° 58' 59", Longitude: 78° 31' 27") involving approximately 5,079 feet of channel relocation, floodway excavation and grading, 0.06 acre of permanent PFO wetland impacts and 0.01 acre of permanent PEM wetland impacts, 0.65 acre of temporary PFO wetland impacts and 0.02 acre of temporary PEM wetland impacts, and the placement and maintenance of 16 rock cross vanes and 14 root wads.

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

3. The construction and maintenance of a stream restoration project in and along a UNT to Shobers Run (HQ-CWF) beginning at its confluence with Shobers Run (Rainsburg, PA Quadrangle N: 20.70 inches, W: 2.55 inches; Latitude: 39° 59' 19", Longitude: 78° 31' 04") and ending 594 feet upstream (Rainsburg, PA Quadrangle N: 20.70 inches, W: 2.30 inches; Latitude: 39° 59' 19", Longitude: 78° 30' 58") involving approximately 300 feet of channel relocation, the creation of an additional 72 feet of stream channel, floodway excavation and grading, and the placement and maintenance of 11 rock cross vanes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21. To construct and maintain one 16-foot long, 15-inch diameter PVC sanitary sewer crossing in Shobers Run (HQ-CWF) (Rainsburg, PA Quadrangle N: 20.70 inches,



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

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

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

24. To fill a total of 0.20 acre of three PEM wetlands at three separate locations (Rainsburg, PA Quadrangle N: 20.55 inches, W: 2.50 inches, N: 21.45 inches, W: 2.00 inches, N: 21.80 inches, W: 1.60 inches; Latitude: 39° 59' 17", Longitude: 78° 31' 03", Latitude: 39° 59' 36", Longitude: 78° 30' 51", Latitude: 39° 59' 42", Longitude: 78° 30' 44") and 0.04 acre of PSS wetlands (Rainsburg, PA Quadrangle N: 21.80 inches, W: 1.60 inches; Latitude: 39° 59' 42", Longitude: 78° 30' 44") for the construction of golf cart paths.

The project is located along Sweet Root Road (T-408) approximately 800 feet southeast of the Bedford Springs Hotel in Bedford Township, Bedford County and will result in a total of 9,354 linear feet of impacts to watercourses, approximately 0.25 acre of impacts to bodies of water, 0.31 acre of permanent impacts to wetlands, and 0.69 acre of temporary impacts wetlands. The applicant will create a total of 8.73 acres of replacement wetlands at various locations along the left and right floodplains of Shobers Run (HQ-CWF) beginning at the T-408 bridge (Rainsburg, PA Quadrangle N: 21.75 inches, W: 1.25 inches; Latitude: 39° 59' 39", Longitude: 78° 30' 33") and ending 7,787 feet upstream (Rainsburg, PA Quadrangle N: 19.65 inches, W: 3.42 inches; Latitude: 39° 58' 59", Longitude: 78° 31' 27").

**E01-258. Reuben J. Ness**, 180 Brickyard Road, New Oxford, PA 17350 in New Oxford Township, **Adams County**, ACOE Baltimore District.

To construct and maintain an access road through a palustrine emergent wetland associated to Pine Run (WWF) at a point west of Route 94 (McSherrystown, PA Quadrangle N: 20.2 inches; W: 3.7 inches; Latitude 39° 51' 40"; Longitude 77° 01' 35") in New Oxford Township, Adams County. The project will permanently impact 0.25 acre of palustrine emergent wetlands. The permittee is required to provide a minimum of 0.50 acre of replacement wetlands onsite adjacent to existing wetlands. The replacement ratio is 2:1 because the applicant started constructing the access road, impacting wetlands, prior to obtaining a permit.

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

**E08-433. Schrader Creek Watershed Association**, c/o **Hugh McMahan**, R. D. 2, Box 292, Towanda, PA 18848. Water Obstruction and Encroachment Joint Permit for three passive treatment systems.

In Leroy Township, **Bradford County**, ACOE Baltimore District, (Leroy, PA Quadrangle N: 0.5 inches; W: 13.1 inches).

*Site No. 1—Little Schrader Creek*, construct, operate and maintain one (1) 3-foot high low head dam (containing two weir structures), 35 linear feet each of 36-inch diameter HDPE pipe and 48-inch diameter HDPE pipe and associated 35 linear feet of rip-rap protection, 7,500 square foot ALB treatment facility.

In Leroy Township, **Bradford County**, ACOE Baltimore District, (Canton, PA Quadrangle N: 0.5 inches; W: 0.5 inches).

*Site No. 2—Pine Swamp Run*, construct, operate and maintain one (1) 3-foot high low head dam (containing two weir structures), a 7,500 square foot ALB treatment facility and 5,000 square foot AVFW treatment facility.

In Canton Township, **Bradford County**, ACOE Baltimore District (Grover, PA Quadrangle N: 17.49 inches; W: 6.25 inches).

*Site No. 3—Lye Run*, construct, operate and maintain one 3-foot high low head dam (containing two weir structures), 35 linear feet of 48-inch diameter HDPE pipe and associated 20 linear feet of rip-rap protection, 7,500 square foot ALB treatment facility and 7,500 square foot AVFW treatment facility while permanently impacting 432 square feet of PEM wetland.

All impacted streams are Exceptional Value Fisheries. This permit also authorizes the construction, operation, maintenance and removal of temporary access roads, channel diversions, cofferdams and stockpiles in and along Little Schrader Creek, Pine Swamp Run and Lye Run. All 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.

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

**E10-416, TSC/Cranberry, LLC**, 250 Grandview Drive, Fort Mitchell, KY 41017. TSC/Cranberry Commercial Development, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 40°, 43', 8.4"; W: 80°, 06', 15.6").

To conduct the following activities for the construction of a Tractor Supply Company commercial retail facility along the east side of SR 19 Perry Highway approximately 0.25 mile south of North Boundary Road:

1. To fill a total of 0.56 acre of two wetland areas.
2. To realign two sections for a total of 145 feet of the channel of a tributary to Brush Creek.
3. To construct and maintain a retaining wall and fill within the right floodway of a tributary to Brush Creek for a total distance of approximately 500 feet.
4. To install and maintain a sanitary sewer line crossing of wetlands adjoining the tributary to Brush Creek to connect to the existing Cranberry Township sewer line.

Project includes creation of 0.65 acre of replacement wetland off site within the flood plain of Brush Creek on property within Thorn Hill Industrial Park located between Commonwealth Drive and I-76 south of Freedom Road.

**E43-328, Department of Transportation, District 1-0**, 255 Elms Street, P. O. Box 398, Oil City, PA 16301. SR 2004, Section B00 Across Neshannock Creek, in Springfield Township, **Mercer County**, ACOE Pittsburgh District (Mercer, PA Quadrangle N: 7.88 inches; W: 13.94 inches).

To remove the existing 7.2' by 5.0' concrete box culvert and to construct and maintain a 9.0' by 6.0' concrete box culvert 40.0' long in a UNT to Neshannock Creek (TSF) on SR 2004, Section B00, Segment 0010, Offset 0976, Station 9+78.00 and to remove the existing single span steel through-truss bridge and to construct and maintain a single span prestressed concrete spread box beam bridge having a clear span of 84.48 feet, an underclearance of 11.59 feet, and a skew of 80° across Neshannock Creek on SR 2004, Section B00, Segment 0010, Offset 1162, Station 11+99.00 and to remove and replace the 48" diameter by 45' long CMP in a UNT to Neshannock Creek on SR 2004, Section B00, Segment 0010, Offset 1439, Station 14+26.00 and to place and maintain fill in approximately 0.038 acres of PEM/PSS/PFO wetland all located on SR 2004 approximately 3.5 miles south of the City of Mercer.

### WATER QUALITY CERTIFICATIONS

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 323-3636.*

*Certification Request Initiated by:* Department of the Army, Baltimore District, Corps of Engineers, P. O. Box 1715, Baltimore, MD 21203. ACOE Baltimore District.

**Department of the Army**, Baltimore District, Corps of Engineers, P. O. Box 1715, Baltimore, MD 21203. ACOE Baltimore District. Mansfield Borough, **Tioga County**, ACOE Baltimore District.

The proposed action is to repair approximately 1,00 feet of eroded bank along a former landfill. The second and third components consist of removing sediment from within the confines of the Tioga River and Corey Creek Conduit as future conditions warrant. The fourth component consists of excavating a low flow channel in the Tioga River for about 2,000 feet. The final component is to remove 5,000 cubic yards of gravel, sand and other materials from the Tioga River. This material will be moved to three separate disposal sites adjacent to the Tioga River. Multiple work sites associated with this project will be located in Mansfield Borough north and south of the SR 6 bridge crossing over the Tioga River on property owned by the Army Corps of Engineers. Work will also take place above and below the Corey Creek Conduit located on Mansfield 7.5' Quadrangle, N: 11.0 inches; W: 11.3 inches.

Final Action on Request: Proposed.

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## SPECIAL NOTICES

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### Public Hearing

*Southcentral Regional Office: Regional Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4802.*

Application No. PAI-0306-05-001, Leon Snyder, 80 Lyons Road, Fleetwood, PA 19522-9720.

Leon Snyder has submitted an application for an Individual NPDES permit for a proposed subdivision named Mulberry Hill Subdivision 2 located off Five Points Road, approximately 5.5 miles from its intersection with Dryville Road. The proposed subdivision will be situated near Pine Creek, which is classified as an EV Stream.

The Department of Environmental Protection (Department) has conducted administrative and initial technical reviews of the application. The project has been developed

to a point in which a final technical review can be completed in conjunction with comments received from the public.

The Department has scheduled a public hearing to receive testimony and comments on the proposed NPDES permit. The hearing will be held on Wednesday, August 16, 2006, at 10 a.m. at the Longswamp Township Municipal Building, 1112 State Street, Mertztown, PA 19539.

Persons intending to testify at the hearing should register by Friday, August 11, 2006, by calling Vicki Welty at (717) 705-4729. Persons wishing to submit testimony but cannot attend the hearing may do so in writing by Wednesday, August 16, 2006. Written comments should be sent to Kirit Shah, Project Manager, Watershed Management Program, Permitting and Technical Services Section, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. If the Department does not receive any testimony registration requests by Friday, August 11, 2006, the public hearing will be cancelled.

All testimony should be to the point. Each individual will have up to 10 minutes for his/her presentation. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the proceedings.

The permit application is on file at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. An appointment to review the file may be scheduled by calling the File Room at (717) 705-4732 between the hours of 8 a.m. and 4 p.m., Monday through Friday.

Comments received will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

Following the 30-day comment period and careful review of all comments received, the Watershed Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

[Pa.B. Doc. No. 06-1216. Filed for public inspection June 30, 2006, 9:00 a.m.]

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### Small Business Advantage Grant Program

The Department of Environmental Protection (Department) announces an open opportunity to apply for funding in the third year of the Commonwealth's Small Business Advantage Grant Program for pollution prevention and energy efficiency projects. Small Business Advantage is a grant program providing up to 50% matching grants, to a maximum of \$7,500, to enable a small business in this Commonwealth to adopt or acquire equipment or processes that result in energy efficiency or pollution prevention. Well-designed energy efficient or pollution prevention projects can help small businesses cut costs and reduce the risk of potential regulatory problems, while simultaneously protecting the environment.

An eligible applicant must be a for-profit small business owner whose business or facility is located within this Commonwealth. All small businesses in this Commonwealth are eligible, including, but not limited to, manufacturers, retailers, service providers, mining businesses and agricultural concerns. The project to which the grant will apply must be located within the applicant's facility in this Commonwealth and save the business at least 10% annually in energy or pollution related expenses.

For questions or concerns regarding the eligibility of a project, contact Dave Barnes, Office of Energy and Technology Deployment, Small Business Ombudsman's Office at (717) 783-8411 or [epadvantagegrant@state.pa.us](mailto:epadvantagegrant@state.pa.us) before submitting an application. The Department will begin accepting applications on July 1, 2006.

Applications are available by contacting the Department of Environmental Protection, Office of Energy and Technology Deployment, 15th Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8772, Harrisburg, PA 17105-8772, (717) 783-8411. Applications are also available on the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: SBAdvantage). The application package contains the materials and instructions necessary for applying for a grant.

Applications must be postmarked or hand delivered by 4 p.m. on December 15, 2006. Faxes or other electronic submission will not be accepted.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-1217. Filed for public inspection June 30, 2006, 9:00 a.m.]

### Small Water Systems Technical Assistance Center Advisory Board Meeting

The Small Water Systems Technical Assistance Center Advisory Board (Board) will meet from 10 a.m. to 3 p.m. on July 12, 2006, in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. This meeting will be a continuation of the Board's May 18, 2006, meeting.

Questions concerning the meeting should be directed to Ray Braun at (717) 772-2186 or [rbraun@state.pa.us](mailto:rbraun@state.pa.us).

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-1218. Filed for public inspection June 30, 2006, 9:00 a.m.]

### State Board for Certification of Sewage Enforcement Officers Meeting

The State Board for Certification of Sewage Enforcement Officers will hold a meeting on Tuesday, July 18, 2006, at 9:30 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions concerning the meeting should be directed to Cheri Sansoni, (717) 772-5158, [csansoni@state.pa.us](mailto:csansoni@state.pa.us). An agenda and meeting materials for the July 18, 2006, meeting will be available through the Public Participation Center on the Department of Environmental Protection's

(Department) website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: Public Participation, Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Cheri Sansoni at (717) 772-5158 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-1219. Filed for public inspection June 30, 2006, 9:00 a.m.]

## DEPARTMENT OF HEALTH

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

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold public meetings from 9 a.m. to 4 p.m. on Wednesday, July 19, 2006, and from 9 a.m. to 2:30 p.m. on Thursday, July 20, 2006, at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

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

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

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

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

[Pa.B. Doc. No. 06-1220. Filed for public inspection June 30, 2006, 9:00 a.m.]

### Integrated Human Immunodeficiency Virus (HIV) Planning Council; Public Meetings

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, July 11, 2006, from 10:30 a.m. to 3 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

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

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

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other

accommodation to do so should also contact Joseph Pease at (717) 783-0572 or V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-1221. Filed for public inspection June 30, 2006, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on September 13, 2006, from 10 a.m. to 2 p.m. at the National Civil War Museum, 1 Lincoln Circle, Reservoir Park, Harrisburg, PA 17103.

For additional information, contact Jayme L. Trogus, Public Health Educator, Health Education and Information Program, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, at (717) 787-6214 or at the telephone numbers which follow.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) or who wish to attend the meeting and require an auxiliary aid should contact Jayme L. Trogus at (717) 787-6214 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 06-1222. Filed for public inspection June 30, 2006, 9:00 a.m.]

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

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

Messiah Village  
100 Mount Allen Drive  
Mechanicsburg, PA, 17055  
FAC ID 910802

Woodland Retirement Center  
P. O. Box 280, Route 522  
Orbisonia, PA 17243  
FAC ID 233002

The Lutheran Home a Hollidaysburg  
916 Hickory Street  
Hollidaysburg, PA 16648  
FAC ID 010502

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

Mercy Jeannette Hospital Skilled Nursing Center  
600 Jefferson Avenue  
Jeannette, PA 15644  
FAC ID 100302

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

Persons who wish to comment on 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, audiotope, Braille) should contact the Division of Nursing Care Facilities at the address or phone numbers listed previously or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-1223. Filed for public inspection June 30, 2006, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Diamond Mine '06 Instant Lottery Game

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

- Name:* The name of the game is Pennsylvania Diamond Mine '06.
- Price:* The price of a Pennsylvania Diamond Mine '06 instant lottery game ticket is \$3.
- Play Symbols:* Each Pennsylvania Diamond Mine '06 instant lottery game ticket will contain four play areas designated as "Diamond 1," "Diamond 2," "Diamond 3" and "Diamond 4." There are 60 play symbols, 3 of which will be located in "Diamond 1," 6 of which will be located in "Diamond 2," 10 of which will be located in "Diamond 3" and 15 of which will be located in "Diamond 4." Each ticket will also contain a "YOUR NUMBERS" area. The "YOUR NUMBERS" area will consist of 28 play symbols. The play symbols that may be located in the four play areas and the "YOUR NUMBERS" area are the numbers 01 through 60.
- Prizes:* The prizes that can be won in this game are: \$3, \$6, \$9, \$30, \$90, \$300, \$3,000 and \$60,000. The player can win up to 5 times on each ticket.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania Diamond Mine '06 instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets in which five of the "YOUR NUMBERS" play symbols match the same exact five play symbols, in "Diamond 4," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$60,000 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$60,000.

(b) Holders of tickets in which four of the "YOUR NUMBERS" play symbols match the same exact four play symbols, in "Diamond 4," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$3,000 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets in which four of the "YOUR NUMBERS" play symbols match the same exact four play symbols, in "Diamond 3," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$300 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets in which three of the "YOUR NUMBERS" play symbols match the same exact three play symbols, in either "Diamond 2" or "Diamond 3," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$90 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$90.

(e) Holders of tickets in which three of the "YOUR NUMBERS" play symbols match the same exact three

play symbols, in "Diamond 4," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$30 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$30.

(f) Holders of tickets in which two of the "YOUR NUMBERS" play symbols match the same exact two play symbols, in "Diamond 3," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$30 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$30.

(g) Holders of tickets in which two of the "YOUR NUMBERS" play symbols match the same exact two play symbols, in either "Diamond 1," "Diamond 2" or "Diamond 4," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$9 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$9.

(h) Holders of tickets in which one of the "YOUR NUMBERS" play symbols match the same exact one play symbol, in either "Diamond 1" or "Diamond 4," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$6 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$6.

(i) Holders of tickets in which one of the "YOUR NUMBERS" play symbols match the same exact one play symbol, in either "Diamond 2" or "Diamond 3," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$3 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$3.

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

*When You Match All of the Numbers in a Complete Horizontal Line on Any Diamond, Win Prize Shown in the Arrow Pointing to that Line:*

Diamond 1	Diamond 2	Diamond 3	Diamond 4	Win:	Approximate Odds of 1 in:	Approximate No. of Winners Per 7,200,000 Tickets:
	\$3			\$3	16.67	432,000
		\$3		\$3	16.67	432,000
\$6		\$3		\$6	50	144,000
	\$3	\$3		\$6	50	144,000
			\$6	\$6	33.33	216,000
\$9				\$9	166.67	43,200
	\$9			\$9	166.67	43,200
		\$3	\$6	\$9	166.67	43,200
			\$9	\$9	166.67	43,200
\$6		\$3		\$9	166.67	43,200
\$6 + \$9				\$15	200	36,000
\$6	\$3		\$6	\$15	200	36,000
\$6		\$3	\$6	\$15	200	36,000
	\$9		\$6	\$15	200	36,000
		\$30		\$30	333.33	21,600
			\$30	\$30	500	14,400
\$6	\$3 + \$9	\$3	\$9	\$30	200	36,000
	\$90			\$90	1,000	7,200
		\$90		\$90	1,000	7,200
		\$300		\$300	30,000	240
			\$3,000	\$3,000	120,000	60
			\$60,000	\$60,000	720,000	10

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

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell

Pennsylvania Diamond Mine '06 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

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

10. *Governing Law.* In purchasing a ticket, the customer agrees to comply with and abide by the State

Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

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

GREGORY C. FAJT,  
Secretary

[Pa.B. Doc. No. 06-1224. Filed for public inspection June 30, 2006, 9:00 a.m.]

[Correction]

**Pennsylvania Lightning Bucks Instant Lottery Game**

An error occurred in the document announcing a new lottery game which appeared at 36 Pa.B. 3168 and 3169 (June 24, 2006). The correct version of paragraph (7) is as follows with ellipses referring to the existing text of the rules for the Pennsylvania Lightning Bucks Instant Lottery Game.

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

\* \* \* \* \*

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

<i>Get 3 Like Amounts, Win That Prize. Win With Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 12,000,000 Tickets:</i>
3-FREE's	TICKET	15	800,000
3-\$1's	\$1	15	800,000
3-\$2's	\$2	18.75	640,000
3-\$5's	\$5	37.50	320,000
3-\$10's	\$10	300	40,000
QUICK \$10 (FIREFLY)	\$10	100	120,000
3-\$20's	\$20	600	20,000
3-\$10's + QUICK \$10 (FIREFLY)	\$20	600	20,000
3-\$30's	\$30	3,000	4,000
3-\$20's + QUICK \$10 (FIREFLY)	\$30	3,000	4,000
3-\$50's	\$50	6,000	2,000
3-\$100's	\$100	48,000	250
3-\$500's	\$500	240,000	50
3-\$2,000's	\$2,000	1,200,000	10

QUICK \$10 (FIREFLY) = Win \$10 automatically.

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

\* \* \* \* \*

[Pa.B. Doc. No. 06-06-1169. Filed for public inspection June 23, 2006, 9:00 a.m.]

[Correction]

**Pennsylvania Lucky Genie Instant Lottery Game**

An error occurred in the document announcing a new lottery game which appeared at 36 Pa.B. 3169, 3170 and 3171 (June 24, 2006). The correct version of paragraph (8) is as follows, with ellipses referring to the existing text of the rules for the Pennsylvania Lucky Genie Instant Lottery Game.

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

\* \* \* \* \*

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

<i>When Any of Your Numbers Match Either of the Lucky Numbers Win With Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 7,200,000 Tickets</i>
\$1 × 2	\$2	18.75	384,000
\$2	\$2	18.75	384,000
\$2 × 2	\$4	30	240,000
\$4	\$4	30	240,000
\$1 × 5	\$5	50	144,000
\$5	\$5	50	144,000
\$1 × 10	\$10	300	24,000
\$2 × 5	\$10	300	24,000
\$1 w/LAMP	\$10	150	48,000
\$10	\$10	150	48,000
\$2 × 10	\$20	750	9,600
\$4 × 5	\$20	1,500	4,800
\$5 × 4	\$20	1,500	4,800
\$10 × 2	\$20	750	9,600
\$2 w/LAMP	\$20	750	9,600
\$20	\$20	750	9,600
\$5 × 10	\$50	1,846	3,900
\$10 × 5	\$50	1,846	3,900
\$5 w/LAMP	\$50	1,846	3,900
\$50	\$50	1,690	4,260
\$10 × 10	\$100	4,800	1,500
\$20 × 5	\$100	4,800	1,500
\$10 w/LAMP	\$100	4,800	1,500
\$100	\$100	4,800	1,500
\$50 × 10	\$500	40,000	180
\$50 w/LAMP	\$500	40,000	180
\$500	\$500	40,000	180
\$25,000	\$25,000	720,000	10

LAMP (LAMP) = Win 10 times the prize shown under it.

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

\* \* \* \* \*

[Pa.B. Doc. No. 06-06-1170. Filed for public inspection June 23, 2006, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding Armstrong County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Deputy Secretary for Highway Administration makes the following written finding:

The Department of Transportation (Department) plans to construct a new bridge to replace the existing Beatty Mills Bridge carrying T-659 over Buffalo Creek in North Buffalo Township, Armstrong County, PA. The existing wrought iron pony truss bridge has been determined eligible for the National Register of Historic Places which qualifies it as a Section 2002/Section 4(f) resource.

Mitigation measures to minimize harm to the resource include the following:

1. The Department will record the structure following State-level recordation guidelines.

2. The Department, in consultation with the State Historic Preservation Officer, shall ensure that a plan is prepared for marketing the Beatty Mills Bridge.

The Deputy Secretary for Highway Administration has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize effects.

RICHARD H. HOGG, P. E.,  
*Deputy Secretary for Highway Administration*

[Pa.B. Doc. No. 06-1225. Filed for public inspection June 30, 2006, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

Tennessee Gas Pipeline Company v. DEP; EHB  
Doc. No. 2005-261-C

The Department of Environmental Protection (Department) and Tennessee Gas Pipeline Company (TGP) have submitted a Consent Adjudication for approval by the Environmental Hearing Board (Board). TGP maintains a compressor station, Compressor Station 319, in Wyalusing Township, Bradford County. The company that maintains the turbine compression engines operated at Compressor Station 319 recommends turbine core exchanges at a certain number of fired-hours of service. TGP's "turbine core" includes the compressor (air compressor, gas generator/gas producer), combustor and power turbine of the turbine compression engine. TGP engages in turbine core exchanges as recommended by the manufacturer. For TGP's exchanges, the replacement turbine core is not the same core as was initially removed for overhaul. In response to Department inquiries, TGP provided a substantial package of information on its turbine core exchanges. The Department treated the submission as a request for approval of a routine maintenance, repair and replacement plan for TGP's turbine compression engines. By letter dated July 29, 2005, the Department disapproved that plan. On August 25, 2005, TGP filed an appeal of the Department's disapproval of that plan. The appeal was docketed with the Board at EHB Doc. No. 2005-261-C.

The Department and TGP have agreed to a settlement in the form of a Consent Adjudication, the major provisions of which include:

1. When TGP conducts a turbine core replacement at any compressor station that TGP operates in the Northcentral Region of the Department, TGP shall provide certain information in the written notice within the specified time frame.

2. At the time of the turbine core exchange, TGP shall review the availability of lower emitting new or refurbished turbine cores suitable for placement into the turbine compression engine whose turbine core is being replaced. TGP shall install the lower emitting turbine core or, if the core will be replaced with an identical core, certify that a lower emitting core is not available.

3. TGP shall perform emissions testing for oxides of nitrogen and carbon monoxide within 90 days of completing the turbine core replacement.

4. A plan approval and/or operating permit will be required if the turbine core replacement does not meet the terms described in the relevant parts of the Consent Adjudication.

5. The turbine core replacements allowed under the provisions of the Consent Adjudication may occur for no more than 15 years from the date of the first replacement that occurs after the effective date of the Consent Adjudication. Any subsequent proposed turbine core replacements will require a plan approval application including a best available technology evaluation to be submitted to the Department for its review and approval.

Copies of the full Consent Adjudication are in the hands of: Dawn M. Herb, Assistant Counsel, Department of Environmental Protection, Northcentral Region Office of Chief Counsel, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6568; David G. Mandelbaum, Esquire, and Sabrina Rudnick, Esquire, Ballard Spahr Andrews & Ingersoll, LLP, 1735 Market Street, 51st Floor, Philadelphia, PA 19103-7599, (215) 864-8102 or (215) 864-8344; and at the office of the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8457, (717) 787-3483 and may be reviewed by any interested party on request during normal business hours. Public comments will be received for 30 days from the date of this notice. A copy of any comments should be sent to each of the parties at the addresses listed previously. This notice is being provided under 25 Pa. Code §§ 1021.38 and 1021.141 (relating to publication of notice; and termination of proceedings). The Consent Adjudication is subject to final approval by the Board. The Board may schedule a hearing prior to taking action on the Consent Adjudication. For any aggrieved person not a party to the action, an appeal of the Consent Adjudication must be filed with Commonwealth Court within 30 days of the date of the Board's action.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 06-1226. Filed for public inspection June 30, 2006, 9:00 a.m.]

## GOVERNOR'S OFFICE

### Regulatory Agenda

Executive Order 1996-1, requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. The following is the twenty-first publication of the Administration's regulatory agenda, grouped by agency. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>ADMINISTRATION</b>			
No regulations being developed or considered at this time.			
<b>AGING</b>			
Pa. Code Title VI Chapter 3 Fair Hearings and Appeals	December 2007, as proposed	This regulation has been initially reviewed by stakeholders in response to passage of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1. It is being reviewed internally to improve Departmental procedures and efficiencies.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 11 Older Adult Daily Living Centers	September 2008, as proposed.	A review of these regulations will be conducted in order to assure consistency with ongoing interdepartmental discussions regarding development of long term care services.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 15 Protective Services for Older Adults	December 2007, as proposed.	The law and regulations are under review in light of the decision of the Pennsylvania Supreme Court in <i>Nixon et al. v. Commonwealth, et al.</i> , which found the current protective services law and regulations to be unconstitutional.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 20 Family Caregiver Support Program	December 2008, as proposed.	A review of these regulations will be conducted in order to assure consistency with ongoing interdepartmental discussion regarding development of the family caregiver support program.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 21 Domiciliary Care Services for Adults	December 2008, as proposed.	A review of these regulations will be conducted in order to assure consistency with ongoing interdepartmental discussions regarding development of community living alternatives.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 22 Pharmaceutical Assistance Contract for the Elderly	December 2006, as proposed.	The Department is working with the Administration to amend the PACE law and regulations to effect coordination of the Federal prescription drug benefit with the PACE/PACENET programs.	Thomas Snedden 717-787-7313
Pa. Code Title VI Chapter 23 Long Term Care Ombudsman Program	December 2007, as proposed.	The Department wishes to promulgate regulations for the Long Term Care Ombudsman program in order to bring it into conformity with national standards.	Robert Hussar 717-783-6207
<b>AGRICULTURE</b>			
Domestic Animal 7 Pa. Code Chapter 2	June, 2006, as proposed.	This long-term project is intended to update the Department's regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).	Paul Knepley, DVM (717) 772-2852
Cervidae 7 Pa. Code Chapter 18	June, 2006, as proposed.	Act 190 of 2002 amended the Domestic Animal Law to require the Department to license and regulate cervidae livestock operations.	Paul Knepley, DVM (717) 772-2852
Animal Exhibition Sanitation 7 Pa. Code Chapter 21	June, 2006, as proposed.	Act 190 of 2002 amended the Domestic Animal Law to require the Department to enforce sanitation requirements at animal exhibitions, and to regulate as necessary to meet this requirement.	Paul Knepley, DVM (717) 772-2852
Amusement Rides 7 Pa. Code Chapter 139	August, 2006, as proposed.	This regulation will update the current regulation at 7 Pa. Code Chapter 139 to reflect changes to the Amusement Ride Inspection Act (4 P. S. §§ 401—418).	Bill Wehry (717) 787-4626

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Harness Racing Commission 58 Pa. Code Chapters 181, 183, 185 and 186—190	September, 2006, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in harness racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 181, 183, 185 and 186—190, including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Anton J. Leppler (717) 787-5196
Horse Racing Commission 58 Pa. Code Chapters 161, 163, 165, 167, 169, 171 and 173	May, 2006, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in thoroughbred horse racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 161, 163, 165, 167, 169, 171 and 173 including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Benjamin H. Nolt, Jr. (717) 787-1942
Horse Racing Commission 58 Pa. Code § 163.531 Definitions	May, 2006, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in thoroughbred horse racing that did not exist when the current regulations were originally promulgated. This regulation is a short-term project and would amend 58 Pa. Code § 163.531 by amendment to the Definitions Section of the Pennsylvania Breeders' Fund Program found at 58 Pa. Code §§ 163.531—163.538.	Benjamin H. Nolt, Jr. (717) 787-1942
Pesticide Regulations 7 Pa. Code Chapter 128	January, 2007, as proposed.	This regulation will amend 7 Pa. Code Chapter 128 and is necessary to update current regulations, to make them more user friendly, address pesticide security issues, set minimum certification age requirements, dealer licensing, and changes in federal pesticide registration changes.	David Scott (717) 772-5214
Chemsweep Regulations 7 Pa. Code Chapter 128b	July, 2006, as final.	This regulation will amend 7 Pa. Code Chapter 128b to expand the pesticide disposal program which has been limited to agricultural pesticide products. The amendment will include all Commonwealth citizens who are in possession of cancelled, unused or suspended pesticides.	Don Gilbert (717) 772-5210
Fertilizer Regulations 7 Pa. Code Chapter 73	September, 2007, as proposed.	This regulation will replace 7 Pa. Code Chapter 73 and implement provisions of 3 Pa.C.S.A. §§ 6701—6725 (Fertilizer Act).	John Breitsman (717) 772-5215
Soil and Plant Amendment Regulations 7 Pa. Code Chapter 130a	September, 2007, as proposed.	This regulation will replace 7 Pa. Code Chapter 130a and implement provisions of 3 Pa.C.S.A. §§ 6901—6921 (Soil and Plant Amendment Act.)	John Breitsman (717) 772-5215
Dog Law 7 Pa. Code Chapters 23, 25 and 27	July, 2006, as proposed	House Bill 397 of 1996 accomplished revisions of the Dog Law that will necessitate regulatory revisions. This regulation is a long-term project and would amend 7 Pa. Code Chapters 23, 25 and 27 to bring them into greater conformity with statutory revisions. The Dog Law (3 P. S. §§ 459-10 et seq.) is the statutory basis for this regulation.	Mary Y. Bender (717) 787-4833

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Clean and Green Regulations 7 Pa. Code Chapter 137b	October, 2006, as proposed.	This regulation will address statutory changes made by Act 235 of 2004, and will otherwise update the current regulation.	Sandra E. Robison (717) 783-3167
Agricultural Conservation Easement Purchase Program Regulations 7 Pa. Code Chapter 138e	July, 2007, as proposed.	This regulation will address statutory changes made by Act 61 of 2005, and will otherwise update the current regulation.	Sandra E. Robison (717) 783-3167
Seed Testing Labeling and Standards 7 Pa. Code Chapter 111	September, 2007, as proposed.	This regulation will supplant the current regulation and implement provisions of 3 Pa.C.S.A §§ 7101—7122 (Seed Act).	Joe Garvey (717) 787-5609
General Provisions and Standards for Seed Certification 7 Pa. Code Chapter 113	September, 2007, as proposed.	This regulation will replace 7 Pa. Code Chapter 113 and 115 by combining them into one chapter—Chapter 113 and implement provisions of 3 Pa.C.S.A. §§ 7101—7122 (Seed Act).	Joe Garvey (717) 787-5609
Commercial Manure Hauler and Broker Certification Program 7 Pa. Code Chapter 130e.	December, 2006, as final.	This will establish regulations for the Commercial Manure Hauler and Broker Certification Program. This regulation will establish certification requirements for those persons commercially hauling or applying manure on behalf of an agricultural operation.	Johan E. Berger (717) 772-4189
<b><i>BANKING</i></b>			
Annual Assessment Regulation	Late 2006	Required pursuant to 17 Pa.C.S. § 503(a) and 71 P. S. § 733-204.A.	Carter D. Frantz (717) 787-1471
Regulation defining unfair/unethical and improper conduct of Mortgage Business under [Acts]	Late 2006	63 P. S. § 456.310(a); 7 P. S. § 6616(1); 7P. S. § 6212.	Carter D. Frantz (717) 787-1471
<b><i>BOARD OF PARDONS</i></b>			
No regulations being developed or considered at this date.			
<b><i>COMMUNITY &amp; ECONOMIC DEVELOPMENT</i></b>			
Building Energy Conservation Standards 12 Pa. Code Chapter 147 (Final regulation with rulemaking omitted)	Summer 2006	The regulation will repeal this chapter, as the statute upon which this chapter is based has been repealed by the Pennsylvania Construction Code Act.	Matthew Speicher (717) 720-7317
Manufactured Housing Improvement Program (Final regulation)	Summer 2006	As required by the Manufactured Housing Improvement Act (act of November 29, 2004, P. L. _____, No. 158)), the department will propose final regulations governing the training and certification of new manufactured home installers; the training of those persons who inspect the installation of new manufactured homes in PA; and the enforcement of the regulations once promulgated.	Jill B. Busch (717) 720-7314
Manufactured Housing 12 Pa. Code Chapter 143 (Final regulation)	Summer 2006	The purpose of the final regulation is to establish fees charged to manufacturers and retailers to cover the costs of extraordinary/follow-up monitoring and inspections incurred by the Department beyond those covered by fees authorized by the United States Department of Housing and Urban Development and to update the existing regulation with the term "Housing Standards Division."	Lisa Maiorana (717) 720-7330

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Industrialized Housing and Components 12 Pa. Code Chapter 145 (Proposed Regulation)	Summer of 2006	The purpose of the proposed regulation is to eliminate the exception for the insulation requirement for industrialized homes and adopt the model code requirements for energy efficiency; designate the International Residential Code as the primary standard; provide clarity for the third-party agencies regarding the frequency of inspections; and to reduce the number of required inspections by the Department.	Matthew Speicher (717) 720-7317
Pennsylvania Industrial Development Authority 12 Pa. Code Chapter 73 (Statement of Policy)	Summer of 2006	The purpose of the statement of policy is to make comprehensive changes to PIDA's policy with respect to project eligibility, advanced technology designation, financial considerations, engineering guidelines, and project format.	Tim Anstine (717) 720-7312
<b>COMMISSION ON CRIME AND DELINQUENCY</b>			
No regulations being developed or considered at this time.			
<b>CONSERVATION &amp; NATURAL RESOURCES</b>			
Conservation of Native Wild Plants (Chapter 45)	Publish proposed rulemaking March 2007.	This proposal is being developed to update existing native wild plant regulations. The legal basis for these regulations is the Wild Resource Conservation Act of 1982. This update is necessary to change the status of various plants to reflect field work completed during the last three years. Recommendations of the Rare Plant Committee and the Vascular Plant Technical Committee and the Vascular Plant Technical Committee will be considered during the development of this proposed rulemaking.	Chris Firestone, Mike Lester and Dan Devlin 717-783-3227 Susan Wood 772-4171 (Office of Chief Counsel)
State Forests—General Provisions (Chapter 21)	Publish proposed rulemaking March 2007.	A number of revisions are needed to make this chapter more consistent with state parks regulations and to update, clarify, and correct provisions. Legal basis: The Conservation and Natural Resources Act, 71 P. S. Sec. 1340.313 (rulemaking authority).	Matt Beaver—(Bureau of Forestry): 717-783-0379 Susan Wood— (Office of Chief Counsel): 717-772-4171
<b>CORRECTIONS</b>			
Revisions to the existing regulations governing county correctional facilities, 37 Pa. Code Chapter 95.	June, 2006, as proposed	The regulation will be revised to eliminate unnecessary regulations and amending necessary regulations to be consistent with current correctional practice.	William Sprenkle (717) 975-4965
Promulgation of state intermediate punishment regulations.	June, 2006, as proposed	The regulations will replace the guidelines currently in effect.	Randall N. Sears (717) 731-0444
Amendments to 37 Pa.Code § 94.3(a)(2)	September, 2006, as proposed	The amendment will permit the Secretary to waive the Department's requirement that an inmate serve a minimum of nine months in a facility prior to placement in a community corrections center.	Randall N. Sears (717) 731-0444

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>EDUCATION</b>			
Higher Education—General Provisions 22 Pa. Code, Chapter 31	July 2006, as final.	These regulations are necessary to establish procedures for the approval and operation of institutions of higher education in the Commonwealth. Specific revisions are necessary to clarify the intent of the chapters, modify the timeframe during which new institutions must achieve accreditation, update provisions for library and learning resources, address policies for marketing credit cards on campuses and amend regulations to accommodate for-profit baccalaureate and higher education. These regulations are promulgated under authority of the Public School Code of 1949. 24 P. S. §§ 1-101—27-2702.	Jim Buckheit (717) 787-3787 or James Gearity (717) 787-5041
Higher Education—Foreign Corporation Standards 22 Pa. Code, Chapter 36	July 2006, as proposed.	These regulations are necessary to establish procedures for the approval and operation of out-of-state institutions of higher education currently operating or seeking to operate programs in the Commonwealth.	Jim Buckheit (717) 787-3787 or James Gearity (717) 787-5041
Certification of Professional Personnel 22 Pa. Code, Chapter 49	July 2006, as final.	Regulations outline requirements for teacher preparation, certification and continuing professional education for professional educators.	Jim Buckheit (717) 787-3787 or James Gearity (717) 787-5041
Certification of Professional Personnel 22 Pa. Code, Chapter 49	September 2006, as proposed.	Regulations outline requirements for teacher preparation, certification and professional educators. These revisions restructure the requirements for early childhood, elementary/middle school and special education teachers. They also impose new policy on continuing professional education.	Jim Buckheit (717) 787-3787 or Harriet Dichter (717) 346-9320
General Vocational Education Standards 22 Pa. Code, Chapter 339	Fall 2006, as final.	A revision of Chapter 339 is necessary to assist schools in developing, funding and maintaining programs that will provide the Commonwealth with a competent workforce. Discussions with the State Board of Vocational Education, as well as practitioners in that field, will be initiated to revise these standards. These regulations are promulgated under the authority of the Pennsylvania School Code, Article 18, regarding Vocational Education, and section 2502.8, regarding Vocational Education Funding. These standards are also provided for under Chapter 4 of Title 22 of the Pa. Code, section 4.32(a).	Lee Burket (717) 787-5530
Standards for Approved Private Schools 22 Pa. Code, Chapter 171 Subchapters A & B	Fall 2006, as proposed.	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). These standards contain general provisions and allowable expenses and costs. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, PL 30, No. 14, March 16, 1949, P. S. Section 1-101, et. Seq. The revised standards will reflect the changes in Chapter 14 and IDEA.	John Tommasini (717) 783-6134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Regulations of the State Board of Private Academic Schools 22 Pa. Code, Chapters 51, 53, 55, 57, 61 and 63	The Board has informally discussed revision of the regulations, received public input and is reviewing that input with the Department to determine appropriate next steps.	These regulations define the requirements for obtaining licensure as a Private Academic School. The Board plans to update the regulations, which were promulgated in 1988. The regulations are promulgated under the Authority of the Private Academic Schools Act (24 P. S. section 6701 et. Seq.)	Mary Ramirez (717) 783-3755
Academic Standards and Assessment, 22 Pa. Code, Chapter 4	November 2006, as final.	These regulations outline state academic standards that public schools must provide instruction to bring students up to proficiency and also provides for the Pennsylvania System of School Assessment, high school graduation requirements and requirements for credentials other than the high school diploma.	Jim Buckheit (717) 787-3787 or Diane Castelbuono (717) 787-2127
Chapter 4—Career Education and Work Academic Standards 22 Pa. Code, Chapter 4	July 2006, as final.	The Career Education and Work academic standards describe what students should know and be able to do at grades 2, 5, 8 and 11 in four areas: career awareness and preparation; career acquisition; career retention and advancement; and, entrepreneurship. Academic standards in career education and work are established in the State Board's Chapter 4 regulations.	Jim Buckheit (717) 787-3787 or Lee Burket (717) 787-5530
Regulations of the State Board of Private Licensed Schools 22 Pa. Code, Chapter 73	Accepted by Board on November 4, 2004 and with revisions on February 17, 2005. September 2006, as proposed.	These regulatory changes increase the minimum surety for schools, eliminate "Demonstrated Competency" as an instructor qualification, clarifies that violations of the ethics statement are enforceable, clarify last date of attendance for refund purposes, and eliminate tiered fines, setting the fine for all violations at the statutory maximum of \$1000.	Patricia Landis (717) 783-8228
Higher Education—Institutional Approval 22 Pa. Code, Chapter 40	June 2006, as proposed.	These regulations establish procedures for the approval and operation of independent two-year college, college seminary or university, or for status as a State System, State-related or State-aided institution for the purposes of awarding college credits and granting degrees.	Jim Buckheit (717) 787-3787 or James Gearity (717) 787-5041
Higher Education—Program Approval 22 Pa. Code, Chapter 42	June 2006, as proposed.	These regulations establish procedures for approval of specialized associate degree programs, upper division programs at two-year and community colleges, graduate programs and vocational education programs.	Jim Buckheit (717) 787-3787 or James Gearity (717) 787-5041
Academic Standards and Assessment, Student Attendance and Students and Student Services 22 Pa. Code, Chapters 4, 11 & 12	June 2006, as proposed.	These regulations outline proposed enrollment, curriculum and program standards for pre-kindergarten programs.	Jim Buckheit (717) 787-3787 or Harriet Dichter (717) 346-9320 or (717) 783-6828
Special Education Services and Programs 22 Pa. Code, Chapter 14	January 2007, as proposed.	These regulations outline how special education services and programs are to be provided to children with disabilities. Specific revisions are necessary to incorporate the recent changes to IDEA 2004.	Jim Buckheit (717) 787-3787 or Linda Rhen (717) 783-2311
<b><i>EMERGENCY MANAGEMENT AGENCY</i></b>			
No regulations being developed or considered at this time.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>ENVIRONMENTAL HEARING BOARD</b>			
Pa. Code Title 25 Chapter 1021 Practice and Procedure	The Board published final rulemaking of previously proposed rule changes in the Pennsylvania Bulletin on February 11, 2006. New proposed rulemaking may be published at the end of 2006 or early 2007.	The Environmental Hearing Board Rules Committee has recommended revising the Board's rules of practice and procedure to add new rules addressing the following issues: 1) default judgment; 2) withdrawal of appeals without prejudice; 3) prepayment of penalties. The Rules Committee is also considering the clarification of existing rules.	Mary Anne Wesdock 412-565-5245
<b>ENVIRONMENTAL PROTECTION</b>			
Triennial Review of Water Quality Standards Clean Streams Law 25 Pa. Code, Chapter 93 Water Quality Standards and Chapter 16 Water Quality Toxics Management Strategy—Statement of Policy	FY06-07	This review identifies amendments to the Water Quality Standards and the Water Quality Toxics Management Strategy—Statement of Policy. Water Quality Criteria and Standards in Chapters 93 and 16 are revised to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the federal Clean Water Act.	Tom Barron 717-787-9637
Noncoal Program Noncoal Surface Mining Conservation and Reclamation Act 25 Pa. Code, Chapter 77	FY06-07	Revisions to Chapter 77 (Noncoal Mining) that govern the licensing of mine operators and permitting of mines for minerals other than coal. Specific areas for revision include clarification of permit application requirements including hydrologic data requirements.	Bill Allen 717-783-9580
Program Conditions and Remining Financial Guarantees Surface Mining Conservation & Reclamation Act 25 Pa. Code, Chapters 86, 87, 88	FY06-07	Program conditions, responding to OSM disapprovals and remining financial guarantees proposal that includes revisions to self-bonding, seismic safety factors and impoundments.	Bill Allen 717-783-9580
Water Supply Replacement Surface Mining Conservation & Reclamation Act 25 Pa. Code, Chapters 87, 88	FY06-07	Revisions to Chapters 87 & 88, which will clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies.	Keith Brady 717-787-4814
Oil & Gas Well Program Oil and Gas Act 25 Pa. Code, Chapter 78	FY06-07	Revisions to Chapter 78 (Oil and Gas Wells) that governs the drilling, operation and plugging of oil and gas wells. Includes changes to bond amount and plugging procedures to attain a more effective seal; quantity and quality for replacement water supplies as well as adequate operation and maintenance; and alternate requirements for casing, cementing and plugging wells through mineable coal seams to facilitate future mining through the wells or recovery of coal bed methane prior to mining.	Ron Gilius 717-772-2199

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 85—Bluff Recession and Setback Amendments Bluff Recession and Setback Act 25 Pa. Code, Chapter 85	FY06-07	This proposal will update Chapter 85 based on the bluff study that resulted from a petition submitted by the Millcreek Township Board of Supervisors, Erie County.	Andrew Zemba 717-772-5633
NPDES Permitting Program Amendments Clean Streams Law 25 Pa. Code, Chapter 91 & 92	FY06-07	Revisions to Chapter 91 (General Provisions) and 92 (National Pollution Discharges Elimination System Permitting, Monitoring and Compliance—NPDES) that govern the NPDES permitting program for point source discharges of water pollution.	Tom Franklin 717-787-8184
Watershed Permits Clean Streams Law 25 Pa. Code, Chapter 92	FY06-07	Revision to Chapter 92 (National Pollution Discharges Elimination System Permitting, Monitoring and Compliance—NPDES) to allow for a watershed permit in watersheds covered by a TMDL or similar allocation.	Lee McDonnell 717-787-8184
Newtown Creek et al Stream Redesignation Package Clean Streams Law 25 Pa. Code, Chapter 93	FY06-07	This proposal identifies seven streams (Pine Run, Clearfield County; Indian Spring Run, Chester and Lancaster Counties; Lizard Creek, Carbon County; Indian Creek, Fayette County; Messenger Run, Warren County; Newtown Creek, Bucks County; and Stone Creek, Bedford County) that should be redesignated to provide the correct aquatic life use designation in the water quality standards for these Commonwealth streams.	Rodney McAllister 717-787-9637
Water Quality Network Stream Redesignation Package Clean Streams Law 25 Pa. Code, Chapter 93	FY06-07	This proposal identifies nine stream segments (Blue Eye Run, Warren County; Conewago Creek, Adams County; E. Br. Dyberry Creek, Wayne County; East Hickory Creek, Warren County; Minister Creek, Forest County; Muncy Creek, Sullivan County; Spruce Run, Union County; UNT Tunkhannock Creek, Susquehanna County and Young Womans Creek, Lycoming County) that should be redesignated to provide the correct aquatic life use designation in the water quality standards for these Commonwealth streams.	Rodney McAllister 717-787-9637
Public Notification Revisions Safe Drinking Water Act 25 Pa. Code, Chapter 109	FY06-07	Amendments to several sections in Chapter 109 to strengthen the public notification (PN) requirements for imminent threat violations and situations. Will include enhancements to the pre-planning requirements in the Operation and Maintenance Plan and Emergency Response Plan sections, and revisions to the Tier 1 PN delivery requirements.	Lisa Daniels, Deb Rotz 717-772-4018
Stage 2 Disinfectants and Disinfection Byproducts Rule Safe Drinking Water Act 25 Pa. Code, Chapter 109	FY06-07	This rule will implement the requirements of the federal Stage 2 DDBR that was effective March 6, 2006. The rule will require community water systems and noncommunity water systems, which treat drinking water with a primary disinfectant other than UV to conduct additional compliance monitoring for trihalomethanes and haloacetic acids.	Tom Franklin 717-783-1820



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 109 General Update Safe Drinking Water Act 25 Pa. Code, Chapter 109	FY06-07	This general update will revise several sections in Chapter 109 to retain or obtain primacy, including monitoring and reporting requirements for lead, copper, arsenic, radionuclides inorganic chemicals, volatile synthetic organic chemicals, and synthetic organic chemicals. Other sections will be clarified, such as QA/QC requirements for on-line instrumentation; reporting requirements for failure to monitor; and compliance determinations for the chemical contaminants. The update also will include mandatory electronic data reporting requirements.	Lisa Daniels 717-772-2189
Water Resources Planning Water Resources Planning Act 25 Pa. Code, Chapter 110	FY06-07	Addition of new Chapter 110 (Water Resources) establishing requirements for the registration, record keeping and periodic reporting of water withdrawals and water uses in accordance with the Water Resources Act (Act 220 of 2002) to provide information for water resources planning and development of the State Water Plan.	Susan Weaver 717-783-8055
Glass Furnaces Air Pollution Control Act, 25 Pa. Code, Chapters 121 and 129	FY06-07	The proposal would add nitrogen oxide emission reduction requirements for glass furnaces.	Terry Black 717-787-2030
Clean Air Interstate Rule Air Pollution Control Act 25 Pa. Code, Chapters 121, 129 and 145	FY06-07	Revise Air Quality Regulations to comply with the federal Clean Air Interstate Rule by reducing emissions of sulfur oxides and nitrogen oxides from electric generating units.	Wick Havens 717-772-3436
Mercury Emissions Air Pollution Control Act 25 Pa. Code, Chapter 123	FY06-07	Revise Air Quality regulations to reduce mercury emissions from coal-fired electric generating units or cogeneration units.	John Slade 717-783-9476
Clean Vehicles Program Amendment Air Pollution Control Act 25 Pa. Code, Chapter 126	FY06-07	Revisions to the existing Pennsylvania Clean Vehicles Program in Chapter 126 (Motor Vehicles and Fuels Program). The regulation provides an extension to 2008 for automakers to comply with the current requirements.	Arleen Shulman 717-772-3926
Nonattainment New Source Review Air Pollution Control Act 25 Pa. Code, Chapter 127	FY06-07	The Department's existing nonattainment new source review (NSR) regulations will be amended to clarify existing requirements and to develop an approvable "equivalency" demonstration as a revision to the State Implementation Plan	Terry Black, John Slade 717-787-2030
Air Quality Permit Streamlining Air Pollution Control Act 25 Pa. Code, Chapter 127	FY06-07	The proposed regulation will revise certain public notice provisions and public comment provisions to extend from 120 to 180 days the duration for temporary "shake-down" operation of new equipment subject to the Plan Approval requirements.	Terry Black, John Slade 717-787-2030
Cement Kilns Air Pollution Control Act 25 Pa. Code, Chapters and 129	FY06-07	The proposal would add nitrogen oxide emission reduction requirements for cement kilns.	Terry Black 717-787-2030

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Portable Fuel Containers Air Pollution Control Act 25 Pa. Code, Chapter 130	FY06-07	The proposal would revise the portable fuel container regulation to reflect new technology. The new technology makes the containers user-friendlier and provides a slight increase in volatile organic compound and hazardous air pollutant emission reductions.	Terry Black 717-787-2030
Consumer Products Air Pollution Control Act 25 Pa. Code, Chapter 130	FY06-07	The proposal would revise the consumer product regulation to add additional categories of regulated products. The revisions will reduce volatile organic compound and hazardous air pollutant emissions.	Terry Black 717-787-2030
Surface Mine Safety Surface Mine Conservation and Reclamation Act, Noncoal Surface Mine Conservation and Reclamation Act 25 Pa. Code, Chapter 209	FY06-07	Revision to Chapter 209 (Coal Mines) to adopt by reference the Federal MSHA regulations for surface coalmines and surface noncoal mines.	Bill Allen 717-783-9580
Radiation Protection Program Radiation Protection Act, Radon Certification Act 25 Pa. Code, Chapter 215-240	FY06-07	Rewording of existing requirements and definitions for clarity; updating of U.S. Nuclear Regulatory Commission incorporation by reference citations; reinstating industrial radiography incident reporting requirement inadvertently deleted by previous rulemaking; updating radon protocols; and deleting notary requirements from radon services permit applications	L. Ray Urciuolo 717-783-9730
Storage Tank Amendments Storage Tank and Spill Prevention Act 25 Pa. Code, Chapter 246	FY06-07	This proposal represents comprehensive amendments to the Storage Tank and Spill Prevention provisions of Chapter 245, which was last updated in 1997.	Ray Powers 717-772-5809
Waste Facility Notification near Military Airports Solid Waste Management Act 25 Pa. Code, §§ 271.1, 279.112, 287.1 & 293.112	FY06-07	This proposed regulation is in response to a petition filed by the Department of Defense. It would amend the Municipal and Residual Waste Regulations to include military airport in the definition of "airport" and require a transfer facility applicant to notify the PENNDOT's Bureau of Aviation and the Federal Aviation Administration and the airport if a proposed transfer facility or expansion is within 6 miles of an airport runway.	Steve Socash 717-787-7381
Hazardous Waste Program Solid Waste Management Act 25 Pa. Code, Chapters 260-270	FY06-07	Revisions to various chapters in Article VII (Hazardous Waste Management) of Subpart D that govern the generation, treatment, storage, transportation and disposal of hazardous waste.	Rick Shipman 717-783-3390
Coal Mine Reclamation Surface Mining Conservation and Reclamation Act 25 Pa. Code, Chapter 86	FY06-07	Revisions to Chapter 86 (Surface and Underground Mining: General) to eliminate an existing reclamation fee and to provide for the reclamation of sites where the operator reclamation bond has been forfeited.	Keith Brady 717-787-4814
Mine Opening Blasting Surface Mine Conservation and Reclamation Act 25 Pa. Code, Chapter 89	FY06-07	Revisions to Chapter 89 (Underground Mining of Coal and Coal Preparation Facilities) to better coordinate regulation of blasting of underground mine entries between surface blasting requirements and underground blasting requirements.	Bill Allen 717-783-9580

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>GENERAL SERVICES</b>			
Methods of Awarding Contracts 4 Pa. Code Chapter 69	Summer 2006, as final omitted	These regulations should be repealed since they have been superseded by enactment of the Commonwealth Procurement Code.	Mary Benefield Seiverling (717) 772-2749
Processing Subscriptions and Sales of <i>Pennsylvania Code</i> and Related Publications 4 Pa. Code Chapter 81	Summer 2006, as final omitted	These regulations should be repealed since the DGS' Bureau of Management Services no longer has responsibility for processing subscriptions and orders for the <i>Pennsylvania Code</i> .	Mary Benefield Seiverling (717) 772-2749
Surplus State Property 4 Pa. Code Chapters 41, 43, 45 & 47	Summer 2006, as final omitted.	These regulations should be repealed because they do not reflect current law and practice.	Mary Benefield Seiverling (717) 772-2749
Bookstore Operations. Chapter 83	Summer 2006, as final omitted	These regulations should be repealed since the bookstore operations were transferred to the Pa. Historical and Museum Commission by statute.	Mary Benefield Seiverling (717) 772-2749
Distribution of Federally Donated Foods to Needy Households, 4 Pa. Code Chapters 51, 53 & 55	Summer 2006, as final omitted	These regulations should be repealed since the responsibility for this program was transferred to the Dept. of Agriculture.	Mary Benefield Seiverling (717) 772-2749
Committee on Construction Contract Documents, 4 Pa. Code Chapter 62	Summer 2006, as final omitted	The Procurement Code repealed the legislation creating this committee, which no longer exists.	Mary Benefield Seiverling (717) 772-2749
Commonwealth Parking Facilities 4 Pa. Code Chapter 71.	March, 2007, as proposed	With construction the parking areas have changed significantly so the regulations need to be repealed or substantially revised.	Mary Benefield Seiverling (717) 772-2749
Responsibility 4 Pa. Code Chapter 60	July 2006, as proposed	This chapter should be amended to be consistent with the Procurement Code and to provide for uniform debarment and suspension procedures.	Mary Benefield Seiverling (717) 772-2749
Death Benefits For Survivors of Fireman and Law Enforcement Officers 4 Pa. Code Chapter 89	September 2006, as proposed	Amendments are needed to this regulation to make it consistent with the changes in the legislation.	Mary Benefield Seiverling (717) 772-2749
Selections Committee, 4 Pa. Code Chapter 64.	December 2006, as proposed	These regulations will be reviewed to ensure that they accurately reflect present practice and are consistent with the Procurement Code.	Mary Benefield Seiverling (717) 772-2749
Emergency Construction Repairs 4 Pa. Code Chapter 67	February 2007, as proposed	The regulation should be amended to more accurately reflect present practice and to delete antiquated contract provisions.	Mary Benefield Seiverling (717) 772-2749
Exercise of First Amendment Rights on Commonwealth Property 4 Pa. Code Chapter 85	March 2007, as proposed	The regulation will be rewritten to reflect the current organizational structure and to conform to changes which will be made to the Statement of Policy in Chapter 86.	Mary Benefield Seiverling (717) 772-2749
Use of the Forum 4 Pa. Code Chapter 87	November 2006, as proposed	The regulations should be amended to reflect the Department's current use of a Rental Agreement instead of a permit and to reflect the current organizational structure.	Mary Benefield Seiverling (717) 772-2749

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>HEALTH</b>			
Health Facility Licensure—General Administrative Chapter & General and Special Hospitals 28 Pa. Code § 51.1 et seq. 28 Pa. Code § 101.1 et seq.	November 2006, as proposed.	The amendments to existing regulations will update the licensure requirements for hospitals and other health care facilities. Pursuant to the Health Care Facilities Act, 35 P. S. §§ 448.101—448.904b.	Barbara Holland 717-346-9692 James T. Steele, Jr. 717-783-2500
Communicable Diseases 28 Pa. Code § 27.1 et seq.	December 2006, as proposed.	The amendments to existing regulations will clarify the Department's authority to perform disease surveillance and investigation. Pursuant to the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1—521.21.	Yvette M. Kostelac 717-783-2500
Head Injury Program	December 2006, as proposed	The amendments to existing regulations will address client enrollment and provider issues. Pursuant to 35 P. S. § 6934(e).	Crystal Fox 717-783-2500
Supplemental Nutrition Program for Women, Infant's and Children (WIC) 28 Pa. Code § 1101.1 et seq.	June 2006, as final-omitted	The amendments to existing regulations will bring the Commonwealth into compliance with the requirements of the federal Child Nutrition and WIC Reauthorization Act of 2004 and allow participants to use WIC vouchers at any WIC authorized store. The amendments will also prohibit authorization of stores that get more than 50% of their annual food revenue from the sale of WIC foods and clarify the availability of minimum inventory during store reviews.	Robert Datorre 717-783-2500
School Immunization Requirements 28 Pa. Code §§ 23.83 and 23.86	July 2006, as proposed	The amendments to existing regulations will revise immunization requirements for school entry and attendance, add a grace period for the provision of vaccinations in order for them to be considered valid, and change school reporting requirements to require reporting of doses of vaccine given. Pursuant to the Disease Prevention and Control Law of 1955 35 P. S. § 521.1 et seq.; the Administrative Code of 1921 (71 P. S. § 541(c.1)) and the Public School Code of 1949 (24 P. S. § 13-1303a).	Yvette M. Kostelac 717-783-2500
<b>HOUSING FINANCE AGENCY</b>			
No regulations being developed or considered at this date.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>INFRASTRUCTURE INVESTMENT AUTHORITY</b>			
25 Pa. Code §§ 963.12(a)(6) and (7) 963.13(b) 2, 963.13(c), 963.14(a), 963.15(a), and 25 Pa. Code § 965.4((9).	Spring 2007	PENNVEST recommends the following revisions: (1). Delete 25 Pa. Code § 963.12(a) (6) in its entirety and the second sentence of 25 Pa. Code § 963.13(b)(2) thereby allowing PENNVEST to provide financial assistance (loan or grant) for costs associated with the development of an approvable official sewage plan under the Sewage Facilities Act, 35 P. S. § 750.1 et seq. (2). Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor. (3). Amend 25 Pa. Code § 963.13 (c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment on principal and interest on the 60th month. (4). Amend 25 Pa. Code § 963.14(a) by revising the section to clarify when the use of an affordability analysis for the award of grants is necessary. (5). Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only preceding the 20 year term. (6). Amend 25 Pa. Code § 965.4 (9) to allow for eligible land costs under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.	Shawn W. Weis (717)-783-6776
<b>INSURANCE</b>			
Producer Licensing, 31 Pa. Code, Chapter 37, §§ 37.1—37.84	Summer/Fall 2006, as proposed.	Act 147 of 2002 sets new standards for Producers in the Commonwealth. This chapter will be repealed and replace with new regulation consistent with the statute.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Motor Vehicle Financial Responsibility Law—Evidence of Financial Responsibility, 31 Pa. Code, Chapter 67, §§ 67.21-28	Summer 2006, as proposed	Amend to make the regulation consistent with statutory requirements.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Credit Life Insurance & Credit Accident & Health Insurance, 31 Pa. Code, Chapter 73, §§ 73.103 & 73.138	Spring 2006, as final.	Amend the regulation to meet NAIC standards.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Replace Life Insurance Annuities, 31 Pa. Code, Chapter 81, §§ 81.1—9	Fall/Winter 2006, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Minimum Reserve Standards for Individual and Group Health and Accident Insurance Contracts, 31 Pa. Code, §§ 84a.1—84a.8	Spring 2006, as final.	Amend the regulation to new minimum standards adopted by the NAIC.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Life Insurance Illustrations (New Chapter 87a)	Fall/Winter 2006, as proposed.	Act 154 of 1996 provides for life insurance illustration requirements for life insurance policies. The statute sunsets when a life insurance illustration regulation becomes effective. A life insurance illustration regulation will eliminate misleading illustrations, make illustrations more understandable, and standardize terms and illustration formats for the entire life insurance industry. Further, it is more appropriate that technical requirements, such as these, appear in a regulation rather than in statutory form.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Cash Advances to Insurance Companies 31 Pa. Code, Chapter 105, §§ 105.1—105.2	Spring 2006, as proposed.	Review to determine whether to amend or repeal based on statutory amendments enacted in 2004 (Act No. 216 of 2004).	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Property and Casualty Actuarial Opinion, 31 Pa. Code, §§ 118a.1—118a.7 (NEW)	Spring/Summer 2006, as proposed.	New regulation to require property & casualty insurers to annually submit an Actuarial Opinion Summary of the Actuarial Report on loss and loss adjustment expense reserves, including information on the opining actuary's best estimate and/or range of reasonable estimates.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Preparation of Filing of Property and Casualty Forms for Approval, 31 Pa. Code, Chapter 133, §§ 133.1—133.12	Summer/Fall 2006, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Description of Reserves—Prohibited Phrases, 31 Pa. Code, Chapter 139, §§ 139.1—139.3	Fall/Winter 2006, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Unfair Insurance Practices; Unfair Claims Settlement Practices, 31 Pa. Code, Chapter 146, §§ 146.1—146.10	Summer/Fall 2006, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Requirements for Qualified Reinsurers 31 Pa. Code, Chapter 161 §§ 161.1—161.9	Spring 2006, as proposed.	Amend to update requirements for assets held in trust.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Medical Catastrophe Loss Fund, 31 Pa. Code, Chapter 242 §§ 242.1—242.18	Summer/Fall 2006, as proposed.	Amend the regulation to be consistent with the statute.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Health Care Provider Retention Program, 31 Pa. Code, Chapter 248, §§ 248.1—248.11 (NEW)	Summer/Fall 2006, as proposed.	Adopt regulations per the Medical Care Availability and Reduction of Error (Mcare) Act (40 P. S. §§ 1303.1101 et seq.)	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Viatical Regulations (NEW chapter)	Summer/Fall 2006, as proposed.	New regulation addressing issues pertaining to the Licensing of Viatical Brokers.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
UM/UIM Stacking Waiver Form (NEW Chapter)	Fall/Winter 2006, as proposed.	New regulation to address a statutory correction recommended by the State Supreme Court.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
<b>LABOR AND INDUSTRY</b>			
Repeal of mine and excavation regulations, Title 34, Chap. 33, Bureau of Occupational and Industrial Safety.	Submit final-omitted regulation in Summer 2006.	Will revoke Labor and Industry's authority to regulate mines and excavations. The Department of Environmental Protection now has this authority.	Edward Leister 717-787-3323
Liquefied Petroleum Gas, Title 34. Bureau of Occupational and Industrial Safety.	Submit proposed rulemaking in Fall 2006.	Will enact the Propane and Liquefied Petroleum Gas Act passed in June 2002. Will govern the design, installation and construction of containers and equipment for storage and handling of liquefied petroleum gas, specify the odorization of the gases and establish guidelines for the processing and technologies that are not covered by industry standards.	Edward Leister 717-787-3323
Uniform Construction Code Amendments, Bureau of Occupational and Industrial Safety	Submit final-omitted regulation in Summer 2006	Regulations will incorporate amendments to Construction Code Act and incorporate the 2006 International Code Council series of codes as legally-required.	Edward Leister 717-787-3323
Business Enterprise Program, Title 34. Bureau of Blindness and Visual Services	Submit proposed rulemaking in Summer 2006.	Concerns operation of snack bars and similar operations in Commonwealth facilities under the Federal Randolph-Sheppard Act and related Pennsylvania laws.	Lucy Shumaker 717-783-3784
Office of Vocational and Rehabilitation, Title 34.	Submit Proposed Rulemaking Spring 2006	Regulations will govern the registration process and implement the Sign Language Interpreter and Transliterator Registration Act which was enacted in 2004. (Act 57 of 2004).	Catherine N. Wojciechowski 717-787-4186
Prevailing Wage Appeals Board (PWAB), Title 34, Chap 213.	Submit proposed rulemaking in Fall 2006.	PWAB will amend its regulations to reduce paperwork requirements and improve/streamline procedures.	Richard C. Lengler 717-783-9288
Unemployment Compensation, Title 34, Bureau of Unemployment Compensation Tax Services	Submit proposed rulemaking in Summer 2006.	Update Unemployment Compensation tax and select benefit regulations.	Scott Miedrich 717-787-2097
Unemployment Compensation, Title 34, Bureau of Unemployment Compensation Benefits	Submit proposed rulemaking in Summer 2006.	Update requirements and procedures for filing benefit and claim applications.	Jeri Morris 717-787-3667
Unemployment Compensation, Title 34, Chapter 101, Unemployment Compensation Board of Review	Submit proposed rulemaking in Fall 2006.	Update appeal and hearing procedures to reflect evolving procedures and statutory changes.	Edward Rawlings 717-787-1620
Bureau of Workers' Compensation Title 34, Chapter 121	Submit final-form regulation Summer 2006.	Updating regulations concerning processing of claims forms/petitions to reflect changes in law and technology.	Thomas Dinsmore 717-772-0621
Bureau of Workers' Compensation, Title 34, Chapter 127, Medical Cost Containment	Submit proposed rulemaking by Summer 2006.	Update processes governing medical care and costs under the Workers' Compensation Act.	Eileen Wunsch 717-772-1912

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Bureau of Workers' Compensation, Title 34, Chapter 123	Submit final-form regulation in Summer 2006.	Update procedures for qualifications of vocational experts to reflect passage of Act 88.	Eileen Wunsch 717-772-1912
Bureau of Workers' Compensation, Title 34, Chapter 125A, Self-Insurance	Submit proposed rulemaking in Fall 2006.	Clarify standards and security requirements for individual self-insured employees.	George Knehr 717-783-4476
Bureau of Mediation, Title 34	Submit proposed rulemaking in Fall 2006	Specify procedures and process for Bureau mediators.	William D. Gross 717-787-2803
<b>MILITARY AND VETERANS AFFAIRS</b>			
State Veterans Home 43 Pa. Code Section 7.1 et. seq.	July 2006, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly. This regulation is a long-term project and would amend 43 Pa. Code Chapter 7.	Dennis T. Guise 717-861-8503
<b>MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION</b>			
Municipal Police Officers' Education and Training Commission. 37 Pa. Code Chapter 203	Final regulations, August 2006.	The Commission intends to update regulations promulgated pursuant to 53 Pa.C.S. § 2164(1),(8), and (14 (relating to Part III, Subpart C, of the Local Government Code).	Syndi L. Guido 717-772-0905
Municipal Police Officers' Education and Training Commission. 37 Pa. Code Chapter 203	Proposed regulations, August 2006.	The Commission intends to amend regulations to allow physicals to be performed by physicians' assistants and certified nurse practitioners.	Syndi L. Guido 717-772-0905
Municipal Police Officers' Education and Training Commission. 37 Pa. Code Chapter 204.	Proposed regulations, January 2007.	Act 79 of 2005 requires the Commission to promulgate regulations to implement the Retired Law Enforcement Identification Act.	Syndi L. Guido 717-772-0905
<b>PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM</b>			
No regulations being developed or considered at this time.			
<b>PROBATION AND PAROLE</b>			
The County Probation and Parole Officers Firearms Education and Training Law 61 P. S. § 332.5(13) requires the Commission to "make rules and regulations and to perform other duties as may be reasonably necessary or appropriate to implement the training program for county probation and parole officers."	The proposed regulation will be published in the Pennsylvania Bulletin in the fall of 2006.	The County Probation and Parole Officers' Education and Training Commission is in the process of promulgating these regulations and anticipates the completion of proposed regulations by Fall 2006 for publication in the <i>Pennsylvania Bulletin</i> .	Henry L. Van Brederode 717-787-5699 x 389



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
The Domestic and Sexual Violence Victim Address Confidentiality Act 23 Pa.C.S.A. § 6712 requires the Office of the Victim Advocate to promulgate regulations to establish an address confidentiality program to protect victims of sexual and domestic violence.	The proposed regulation will be published in the Pennsylvania Bulletin in the summer of 2006.	23 Pa.C.S.A. § 6712 (2) requires the Office of the Victim Advocate to promulgate the required regulations by July 1, 2006.	Victoria Sostack 717-783-5157
<b><i>PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM</i></b>			
No regulations being developed or considered at this time.			
<b><i>PUBLIC WELFARE</i></b>			
Administration of County Children and Youth Programs 55 Pa. Code Chapter 3130	February 2007, as proposed	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the federal regulations (effective March 27, 2000) for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include permanency hearings and the matters to be determined, requirements related to reasonable efforts including aggravated circumstances contrary to the welfare and best interests and redefining permanency goals for children.	Ruth O'Brien (717) 783-2800
Administration and Operation of a Children and Youth Social Services Agency 55 Pa. Code Chapter 3680	August 2007, as proposed	This regulation incorporates the changes identified in the Child and Family Services Review, including requirements for visitation with fathers and non-custodial parents and between siblings; concurrent planning; improving permanency outcomes for children; and preserving connections with family and community for children placed out of the home.	Ruth O'Brien (717) 783-2800
Food Stamp Disqualification Penalties 55 Pa. Code Chapter 501	October 2006, as proposed	This regulation incorporates a revision to the Food Stamp disqualification penalties as required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The revision increases the Food Stamp intentional program violation disqualification penalties from six months to one year for the first violation and from one year to two years for the second violation. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization and other client advocacy groups.	Ruth O'Brien (717) 783-2800
Family Violence Option 55 Pa. Code Chapter 187	February 2007, as proposed	This regulation codifies the provision in the TANF State Plan to screen and identify victims of domestic violence, refer those individuals to counseling and supportive services, establish service plans, provide universal notification and make appropriate referrals to social service agencies. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization and other client advocacy groups.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Breast and Cervical Cancer Prevention and Treatment Program 55 Pa. Code Chapter 140	September 2006, as final-form	This regulation provides Medicaid benefits to individuals diagnosed with Breast and Cervical Cancer, effective January 1, 2002. The BCCPT Act of 2000 amended Title XIX of the Social Security Act by giving states the option of providing full Medicaid benefits to a new group of individuals. This regulation provides Medical Assistance for women who have breast and cervical cancer, including pre-cancerous conditions of the breast and cervix, in addition to full Medicaid benefits. Specifically, uninsured and underinsured women under the age of 65, screened and diagnosed with either breast or cervical cancer, including pre-cancerous conditions of the breast or cervix, by a provider or facility funded in full or part by the Centers for Disease Control and Prevention under its National Breast and Cervical Cancer Early Detection Program, will be eligible for Medicaid benefits. Pennsylvania has chosen the Department of Health Healthy Woman Project as the screening entity for this program. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, professional medical organizations and other client advocacy groups.	Ruth O'Brien (717) 783-2800
Medical Assistance Changes (MAC) 55 Pa. Code Chapters 133, 140, 141, 178 and 181	November 2006, as proposed	This regulation incorporates eligibility requirements for Temporary Assistance for Needy Families (TANF)-related, Supplemental Security Income (SSI)-related and General Assistance (GA)-related Medicaid. Some of the major changes include revisions to: 1) the application and redetermination process; 2) the qualification requirements and eligibility rules for Healthy Beginnings; 3) the income eligibility methodologies for TANF-related categories of Medicaid; 4) the income and resource requirements for the Medicaid Program; 5) Extended Medical Coverage to include provisions as set forth in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); 6) the GA-related Nonmoney Payment (NMP) and Medically Needy Only (MNO) eligibility criteria as set forth in Act 35; 7) the qualifying criteria for TANF-related categories to include a new eligibility group as set forth in § 1931 of the Social Security Act.	Ruth O'Brien (717) 783-2800
Early and Periodic Screening Diagnosis Treatment (EPSDT) 55 Pa. Code Chapters 1101, 1121, 1123, 1147, 1241	March 2007, as final-omitted	This regulation relating to services provided as a follow-up to an EPSDT visit or encounter that are not currently recognized under the approved Medical Assistance State Plan. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Medical Assistance Case Management Services 55 Pa. Code Chapter 1239	March 2007, as proposed	This regulation codifies payment for medically necessary case management services as mandated by Omnibus Budget Reconciliation Act '89 to Medical Assistance recipients under the age of 21. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
OMNIBUS Pharmacy 55 Pa. Code Chapters 1121, 1126, 1129, 1141, 1163, 1221, 1225, 1243	February 2007, as final-omitted	This final regulation codifies Act 1994-49 provisions that discontinue payment for all drugs, devices, products, services and procedures that are used or related to treating infertility, including surrogacy services, effective September 1, 1994. This regulation also provides that the medical assistance program provides drug coverage to medically needy only recipients receiving nursing facility services. This includes medically needy only recipients who reside in nursing facilities and intermediate care facilities/mental retardation (ICF/MR). This regulation was reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Physician Assistant/Midwife 55 Pa. Code Chapter 1141	June 2007, as final-omitted	This final regulation codifies revised supervision requirements for physician assistants and midwives. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Discontinuance of the Mandatory Second Opinion Program 55 Pa. Code Chapter 1150	February 2007, as final-omitted	This final regulation removes the mandatory second opinion program requirement for certain surgical procedures. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Capital Component Payment for Replacement Beds 55 Pa. Code Chapter 1187	July 2008, as proposed	This regulation codifies the policy as set forth in the Statement of Policy published at 27 Pa.B. 6238 (November 29, 1997). This regulation will specify the conditions under which the Department will recognize nursing facility beds as replacement beds for purposes of making capital component payments for those beds. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
New Definition of "Emergency Medical Condition" 55 Pa. Code Chapters 1101, 1141, 1150, 1221	March 2007, as proposed	This regulation codifies the revised definition of "emergency medical condition" contained in the Balanced Budget Act of 1997, effective July 1, 1998. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Definition of Medically Necessary 55 Pa. Code Chapter 1101	February 2007, as proposed	This proposed regulation replaces the current definition of "medically necessary" with the definition found in the HealthChoices Request for Proposal. This regulation was reviewed on 9/21/01 by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Tobacco Cessation and Nutritional Supplements 55 Pa. Code Chapter 1121	February 2007, as final-omitted	This final regulation will provide coverage under the Medical Assistance Program for tobacco cessation products and counseling services and will extend coverage for nutritional supplements to eligible Medical Assistance recipients 21 years of age and older. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Dental Services 55 Pa. Code Chapter 1149	March 2007, as final-omitted	This final regulation will provide coverage for crown core build-up and will revise the Medical Assistance Orthodontia Program. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Preadmission Requirements for Nursing Facility Services 55 Pa. Code Chapter 1187	July 2007, as final	This regulation will require nursing facilities to have all individuals applying for nursing facility services, evaluated by the Department or an independent assessor if it is likely that the applicant will use Medical Assistance as a payer source within 12 months of admission. The purpose of this regulation is to allow an individual to remain in the community by delaying or eliminating the need for admission to a nursing facility. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Penile Prosthesis 55 Pa. Code Chapters 1141, 1163,	February 2007, as proposed	This regulation revises the current § 1141.59(8) noncompensable services and § 1163.59(a)(4) noncompensable services, items and outliers days.	Ruth O'Brien (717) 783-2800
Extension of County Transition Payments and Double Disproportionate Share 55 Pa. Code Chapter 1187	July 2007, as final-omitted	This regulation will extend the county nursing facility transition rates for the period July 1, 2003, through June 30, 2009, and will increase the disproportionate share incentive payments to qualified nursing facilities for the period July 1, 2003 through June 30, 2008. The disproportionate share incentive payment shall be increased to equal two times the disproportionate share per diem incentive calculated in accordance with 55 Pa. Code § 1187.111(c). This regulation will be reviewed by the Medical Assistance Advisory Committee. These changes are made in accordance with the Intergovernmental Transfer Agreements.	Ruth O'Brien (717) 783-2800
Home Health Regulation 55 Pa. Code Chapter 1249	July 2006, as final-form	The proposed regulation: 1. removes the State requirement that clients be homebound to receive home health agency services. Requiring a client to be homebound is in violation of "Olmstead Update No. 3" codified at 42 CFR 440.230(c) and 440.240(b); 2. moves service limitations from the regulations to the fee schedule which will permit program exceptions to the limitations when appropriate.	Ruth O'Brien (717) 783-2800
Changes to Nursing Facility Rate Setting System 55 Pa. Code Chapter 1187	June 2006, as final-omitted	This regulation will support the balancing of long term care by encouraging the continued trend of having nursing facilities serve higher acuity MA recipients, encouraging right sized facilities and decreased reliance on MA payments. Further objectives of this regulation will be to provide greater predictability in rate setting, reduce the number of appeals and incorporate performance standards/incentives to encourage cost effective and high quality care in the most appropriate setting.	Ruth O'Brien (717) 783-2800
Medical Assistance Provider Appeal Procedures 55 Pa. Code Chapter 41	October 2006, as final-form	This regulation implements 67 Pa.C.S. 1106 and establishes rules of procedure governing Medical Assistance Provider appeals.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Third Party Liability Programs 55 Pa. Code Chapter 259	February 2007, as proposed	Section 1902(a)(25) of the Social Security Act (42 U.S.C. § 1396a(a)(25)) requires the Department to develop and implement a TPL program to ensure that Medicaid is the payor of last resort. Section 1906 of the Social Security Act (42 U.S.C. § 1396(e)) authorizes the Department to have a special program to enroll certain MA recipients into group health insurance. Both the general TPL program and the special group health insurance program have been in operation in Pennsylvania for a number of years. During this period of operation, questions have arisen as to interpretation and procedures under the Federal and state's statutes. This proposed regulation is needed to supply guidance with respect to issues not directly addressed by the Federal and state statutes, to resolve ambiguities and to fill gaps in the state statutory language.	Ruth O'Brien (717) 783-2800
Licensure and Approval Appeal Procedures 55 Pa. Code Various Chapters	February 2006, as proposed	This regulation replaces the uncodified regulation at 7 Pa.B. 3266 with the General Rules of Administrative Practice and Procedure (1 Pa. Code Chs. 31-35) for all facilities and agencies certified by the Department.	Ruth O'Brien (717) 783-2800
Psychiatric Outpatient Clinics 55 Pa. Code Chapter 5200	February 2007, as proposed	This proposed regulation revises the current regulations pertaining to organization, staffing, and supervision for licensed psychiatric outpatient services. This regulation will be reviewed by the Mental Health Advisory Council and the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Family-Based Mental Health Service Providers Draft Regulation, 55 Pa. Code Chapter 5260	June 2007, as proposed	This proposed regulation would establish requirements for the delivery of services, and payment of family-based mental health services for children and adolescents.	Ruth O'Brien (717) 783-2800
Residential Treatment Facilities (RTF) for Mental Health Services 55 Pa. Code Chapters 31, 1157, 1165	November 2006, as proposed	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility. This regulation was reviewed by the Medical Assistance Advisory Committee (MAAC) on 3/28/02 and again to the MAAC as well as other interested stakeholders on 4/20/06. The comments and revised regulations are under review by the Department.	Ruth O'Brien (717) 783-2800
Intermediate Care Facilities for the Mentally Retarded 55 Pa. Code Chapter 6650	October 2006 as proposed	This regulation applies to private and public residential facilities receiving monies for intermediate care facilities for the mentally retarded (ICFs/MR) or intermediate care facilities for persons with other related conditions (ICFs/ORC). This regulation will include facility capacity, facility expansion, new ICF/MR development, conversion of state funded programs to ICF/MR, conversion of existing ICF/MR to the Medicaid Consolidated Waiver program, medication administration, medication administration training, self-administration of medications and medication log.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Care Facilities 55 Pa. Code Chapters 3270, 3280, 3290, 3300	February 2007 as final-form	The purpose of the proposed rulemaking is to update the minimum standards for child care facilities. The regulations need to be updated to reference the current laws that directly impact on the operation of child care facilities, to incorporate the Department's statements of policy issued since 1992, to implement changes in recommended health and safety practices, to clarify regulations and to reflect best practice in the field of child care.	Ruth O'Brien (717) 783-2800
Child Care 55 Pa. Code Chapter 168	July 2006 as proposed	The purpose of the proposed rulemaking is to align the Office of Income Maintenance and Office of Child Development policies regarding subsidized child care and increase child care services to families receiving Temporary Assistance for Needy Families, General Assistance, and Food Stamp benefits. The proposed amendments will simplify policies and create a more user-friendly system for families.	Ruth O'Brien (717) 783-2800
Payment for Burial and Cremation 55 Pa. Code Chapters 283, 285	September 2006	The proposed rulemaking increases the maximum payment to funeral directors for burial or cremation services to a standard \$750 for all eligible individuals. This rulemaking also increases maximum level of contributions that may be made by another agency or individual towards burial expenses without reducing the Department payment. This amount is increased from \$180 to \$750. Additionally, this proposed rulemaking eliminates several restrictive requirements for burial, thus allowing families and funeral directors more flexibility and choice in planning and selecting burial goods and services.	Ruth O'Brien (717) 783-2800
Revisions to Special Allowances for Supportive Services 55 Pa. Code Chapter 165	March 2007 as proposed	The purpose of this proposed regulation is to ensure adequate and consistent availability and distribution of special allowances. These special allowances are for supportive services to recipients of cash assistance who are engaged or intend to engage in employment and training activities approved by the Department.	Ruth O'Brien (717) 783-2800
Deficit Reduction Act of 2005 (TANF Reauthorization) 55 Pa. Code Chapter 165	February 2007 as proposed	The purpose of this proposed regulation is to incorporate revised policies for work participation according to Federal statutes and regulations.	Ruth O'Brien (717) 783-2800
<b>REVENUE</b>			
Construction Contractors 61 Pa. Code, §§ 31.11—31.16 and 46.11—46.17	July 2007, as proposed	The regulation will provide an update to the rules regarding contracts with exempt and nonexempt entities following Act 45 of 1998. Department awaiting decision of the Pennsylvania Supreme Court.	Douglas Berguson 717-346-4633
Construction Contractors 61 Pa. Code §§ 31.11, 46.2, 46.3, 46.6 and 46.9	July 2007, as final.	Chapter 46 Construction Contractors Sales Tax Requirements and Amendment to § 31.11 to avoid duplication of regulations.	Douglas Berguson 717-346-4633
Prebuilt Housing	June 2006, as final.	The regulation codifies legislative changes relating to prebuilt housing that were set forth in Act 23-2000 (72 P. S. §§ 7201(g)(8), (vv)—(zz), 7202(f) and 7204(60)).	Douglas Berguson 717-346-4633
Realty Transfer Tax Amendments 61 Pa. Code, Chapter 91	July 2007, as final.	The amendments to Chapter 91. Realty Transfer Tax, are made to address numerous legislative changes and to bring the regulatory provisions into conformity with Departmental policy.	Douglas Berguson 717-346-4633

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Small Games of Chance Amendments 61 Pa. Code, Part VII	September 2006, as final.	The regulation contains comprehensive amendments to Part VII to incorporate legislative changes made to the Local Option Small Games of Chance Act (10 P. S. §§ 311—328) in 1990 and 2000 and to codify policy and administrative changes regarding games of chance.	Douglas Berguson 717-346-4633
Support Offset and Other Personal Income Tax Provisions	March 2007, as proposed	This regulatory change will amend certain regulatory provisions to provide for the intercept of income tax refunds from individuals who are delinquent in support payments and redirect the funds accordingly. Other amendments are proposed to update and/or clarify personal income tax provisions.	Douglas Berguson 717-346-4633
Pennsylvania Gaming Cash Flow Management 61 Pa. Code §§ 1001.1—1001.11	July 2006, as temporary	The Department is proposing temporary regulations for Chapter 1001, Pennsylvania Gaming Cash Flow Management in accordance with the Pennsylvania Race Horse Development and Gaming Act 2004 (Act 71).	Douglas Berguson 717-346-4633
Terminal-based Lottery Games 61 Pa. Code §§ 875.1—875.17	May 2006, as final	The regulation establishes and details the procedures that will be followed in operating and administering the Terminal-based Lottery Games.	Douglas Berguson 717-346-4633
Contract Carriers Exemption Certificate-Transfer of Registration § 31.46	December 2006, as proposed	This regulatory change will amend certain regulatory provisions for exemption from sales tax for transfer of registration to conform to Federal legislation.	Douglas Berguson 717-346-4633
<b><i>SECURITIES COMMISSION</i></b>			
Limited offerings 64 Pa. Code § 203.041	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Proxy materials 64 Pa. Code § 203.151	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Debt securities of nonprofit organizations 64 Pa. Code § 203.161	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Registration by coordination 64 Pa. Code § 205.021	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Effective period of registration statement 64 Pa. Code § 207.101	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Required records; report on sales of securities and use of proceeds 64 Pa. Code § 209.010	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Retroactive registration of certain investment company securities 64 Pa. Code § 210.010	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Surety bonds 64 Pa. Code § 303.051	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Rescission offers 64 Pa. Code § 504.060	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Denial for abandonment 64 Pa. Code § 602.022	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Filing requirements 64 Pa. Code § 603.011	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Interim guidelines for the registration of associated persons—statement of policy 64 Pa. Code § 604.013	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Interim guidelines for the qualification and examination of associated persons—statement of policy 64 Pa. Code § 604.014	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Interim guidelines for the effectiveness of registration of associated persons—statement of policy 64 Pa. Code § 604.015	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Guidelines for Waivers of Uniform Securities Agent State Law Examination (Series 63), Uniform Investment Adviser Law Examination (Series 65) and General Securities Representative Non-Member Examination (Series 2)—statement of policy 64 Pa. Code § 604.016	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Broker-dealers, investment advisers, broker-dealer agents and investment adviser representatives using the Internet for general dissemination of information on products and services—statement of policy 64 Pa. Code § 604.020	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Use of prospective financials statements 64 Pa. Code § 609.010	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Accountants 64 Pa. Code § 609.033	Proposed Rulemaking Fall 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
Takeover offer or report regarding participating broker-dealers 64 Pa. Code § 1001.010	Proposed Rulemaking May 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
<b>STATE</b>			
Bureau of Commissions, Elections and Legislation -Alteration of Local Election Districts- 4 Pa. Code § 184 (16-36)	Summer 2006, as Proposed.	The regulation would address the statutory requirements relating to local redistricting in Article V of the Election Code, 25 P. S. §§ 2701—2750. Statutory Authority: Section 2750 of the Election Code, 25 P. S. § 2570, which authorizes the Secretary of the Commonwealth to promulgate regulations relating to Election District Alteration and Data Reporting.	L. Lawrence Boyle (717) 783-1657
State Board of Accountancy -General Revisions- 49 Pa. Code, Chapter 11. (16A-559)	Fall 2006, as Final.	The regulation would clarify certain issues related to the enforcement of the C.P.A. Law; make requirements consistent with the language of the C.P.A. Law; repeal outdated and unnecessary requirements; and make editorial changes. Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3.	Penny Walker (717) 783-1404
-Continuing Education- 49 Pa. Code §§ 11.61—11.69a (16A-5511)	Fall 2006, as Proposed.	The regulation would amend continuing professional education requirements for licensed certified public accountants and public accountants. Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3.	
State Architects Licensure Board -Architect Registration Examination Requirements- 49 Pa. Code § 9.45(b) (16A-419)	Fall 2006, as Proposed.	This regulation would adopt a 5-year “rolling clock” requirement that applicants pass all divisions of the Architect Registration Examination within a rolling 5-year period. Statutory Authority: Section 6(a) and (d) of the Architects Licensing Law, 63 P. S. § 34.6(a) and (d).	Penny Walker (717) 783-3397

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Schedule of Civil Penalties- 49 Pa. Code § 43b.11a. (16-32)	Fall 2006, as Final.	This regulation would amend the schedule of Act 48 civil penalties for violations of the Architects Licensure Law and the Board's regulations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	
State Board of Barber Examiners -Student Work and Curriculum- 49 Pa. Code, Chapter 3 (16A-427)	Fall 2006, as Proposed	The regulation would amend the current regulations to allow for part-time attendance at barber schools; to allow for transfer of hours between a barber shop and a barber school or between barber shops regardless of whether the shop or school is in-state or out-of-state; to require shop owners and schools to submit a quarterly report of student hours to the Board; and to require a shop owner, or a shop owner's designee, to notify the Board of each student to be trained in the shop. Statutory Authority: Section 15-A.4(b) of the Barbers' License Law, 63 P. S. § 566.4(b).	Hilarene Staller (717) 783-3402
-Schedule of Civil Penalties- 49 Pa. Code § 43b.4 (16-32)	Fall 2006, as Final.	This regulation would amend the schedule of Act 48 civil penalties for violations of the Barbers' Licensing Law and the Board's regulations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	
State Board of Certified Real Estate Appraisers -General Revisions- 49 Pa. Code, Chapter 36. (16A-7014)	Summer 2006, as Proposed.	The regulation represents a comprehensive revision of requirements relating to education and experience for initial certification, continuing education for renewal of certification, standards of practice, and supervision of appraisal assistants. Statutory Authority: Section 5(2) of the Real Estate Appraisers Certification Act, 63 P. S. § 457.5(2); and Section 3 of the Assessors Certification Act, 63 P. S. § 458.3.	Michelle Smey (717) 783-4866
State Board of Chiropractic -Chiropractic specialties- 49 Pa. Code Ch. 5 (16A-4312)	Fall 2006, as Proposed.	The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. The regulation would identify the certifications acceptable to the Board. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).	Deborah Smith (717) 783-7155
-Patient records- 49 Pa. Code § 5.51 (16A-4313)	Fall 2006, as Proposed.	The regulation would clarify the requirements for patient records. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).	
-Volunteer license- 49 Pa. Code § 5.20 (number not yet assigned)	Fall 2006, as Proposed.	This regulation is required to conform the regulations to the amendments to the Volunteer Health Services Act under Act 58 of 2002. Statutory Authority: Section 302 of the Chiropractic Practice Act, 63 P. S. § 625.302.	
Commissioner, BPOA  -Schedule of Civil Penalties- 49 Pa. Code §§ 43b.4, 43b.8, and 43b.9 and 43b.11a (16-32)	Fall 2006, as Final.	The regulation would amend the schedules of civil penalties for the State Architects Licensure Board, State Board of Barber Examiners; State Real Estate Commission and State Board of Vehicle Manufacturers, Dealers and Salespersons that were previously codified as regulations under Act 48 of 1993. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Cynthia K. Montgomery (717) 783-7200

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Corporations Bureau  -UCC Revised Article 9- (16-35)	Fall 2006, as Proposed.	This regulation would adopt (with some revisions) the Model rules promulgated by the International Association of Corporate Administrators, which call for the delivery of filings by electronic means and acceptance of credit card payments. Statutory Authority: Section 9526 of the Uniform Commercial Code Modernization Act of 2001, 13 Pa.C.S. § 9526.	Martha Brown (717) 787-6802
State Board of Cosmetology -Accreditation of cosmetology schools- 49 Pa. Code §§ 7.111 and 7.113a (16A-4511)  -Removal of term "manager"- 49 Pa. Code, Chapter 7 (16A-4513)	Fall 2006, as Final.  Fall 2006, as Final.	This regulation amends the Board's existing regulations to clarify the accreditation requirements for cosmetology schools. Statutory Authority: Sections 6 and 11 of the Beauty Culture Law, 63 P. S. §§ 512 and 517.  This regulation amends Chapter 7 to delete all references to the manager's license, which was eliminated by Act 98 of 2002. Statutory Authority: Section 11 of the Beauty Culture Law, 63 P. S. § 517	Hilarene Staller (717) 783-7130
State Board of Dentistry -Expanded Function Dental Assistants' Curriculum Requirements- 49 Pa. Code, Chapter 33 (16A-4616)  -Administration of Local Anesthesia by Dental Hygienists- 49 Pa. Code, Chapter 33 (16A- 4617)  -Dental Hygienists Scope of Practice- 49 Pa. Code, Chapter 33 (16A- 4617)  -Sexual Misconduct- 49 Pa. Code, Chapter 33 (16A-4618)  -Volunteer license- 49 Pa. Code § 33.110 (number not yet assigned)	Fall 2006, as Proposed.  Spring 2006, as Proposed.  Fall 2006, as Proposed.  Fall 2006, as Proposed.	This regulation is intended to establish curriculum requirements for schools offering education programs for expanded function dental assistants. Statutory Authority: Section 3(a) of the Dental Law, 63 P. S. § 122(a).  This regulation will establish the requirements under which a dental hygienist may be permitted to administer local anesthesia under the direct supervision of a dentist. Statutory Authority: Section 3(d) of the Dental Law, 63 P. S. § 122(d).  This regulation is intended to update and amend the scope of practice of dental hygienists to conform to modern dental practices and will establish the requirements under which a dental hygienist may be permitted to administer local anesthesia under the direct supervision of a dentist. Statutory Authority: Section 3(d) of the Dental Law, 63 P. S. § 122(d).  This regulation will define sexual misconduct as it pertains to dentists, dental hygienists and expanded function dental assistants. Statutory Authority: Sections 3(c), (d) (d.1) and (o) of the Dental Law, 63 P. S. § 122(c), (d), (d.1) and (o).  This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	Lisa Burns (717) 783-7162
State Registration Board for Professional Engineers, Land Surveyors and Geologists			Terrie Kocher (717) 783-7049

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-General Revisions- 49 Pa. Code, Chapter 37 (number not yet assigned)	Fall 2006, as Proposed.	The regulation would clarify education and experience requirements for regular and grandfathered candidates for examination and licensure; revise categories of acceptable professional references for candidates; update the branches of engineering for which license examinations are offered; prescribe standards relating to the use of an electronic seal and signature; clarify criteria for approval of fictitious and corporate names that use variations of professional titles; eliminate unnecessary administrative requirements; and make editorial changes. Statutory Authority: Section 4 of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. § 151.	
State Board of Funeral Directors -Professional Misconduct- 49 Pa. Code §§ 13.201, 13.202. (16A-4814)	Fall 2006, as Final.	The amendment would add to the Board's standards of practice and conduct. Statutory Authority: Section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a).	Michelle Smey (717) 783-3397
-General Revisions- 49 Pa. Code, Chap. 13 (number not yet assigned)	Fall 2006, as Proposed	These amendments would update the Board's regulations related to advertising, application procedures, facility requirements, qualifications for licensure and responsibilities of supervisors. Statutory authority: Section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a).	
-Forms Review- 49 Pa. Code §§ 13.204 and 13.244 (16A-4813)	Fall 2006, as Proposed.	This proposed regulation would clarify the criteria by which the Board will review form statements of funeral goods and services and preneed contracts and add grounds for the Board to disapprove forms. Statutory Authority: Section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a).	
-Preneed Funeral Arrangements- 49 Pa. Code, Chapter 13 (16A-4815)	Fall 2006, as Proposed.	This regulation would clarify and add additional requirements for funeral directors who enter into preneed funeral arrangement agreements. Statutory Authority: Sections 13(c) and 16(a) of the Funeral Director Law, 63 P. S. §§ 479.13(c) and 479.16(a).	
State Board of Landscape Architects -General Revisions- 49 Pa. Code, Chapter 15. (16A-618)	Summer 2006, as Final.	The regulation would entail general revisions of the Board's current regulations. Statutory Authority: Section 4(9) of the Landscape Architects' Registration Law, 63 P. S. § 904(9).	Terrie Kocher (717) 772-8528
State Board of Medicine -Athletic Trainers- 49 Pa. Code, Chap. 16 (16A-4915)	Fall 2006, as Final.	This joint regulation would implement Act 92 of 2001, which gave the Medical and Osteopathic Boards jurisdiction over athletic trainers (formerly regulated by the State Board of Physical Therapy). Statutory Authority: Section 3 of Act 92 of 2001.	Tammy Radel (717) 783-1400
-Acupuncture Registration- 49 Pa. Code, Chapter 18, §§ 18.11—18.19 (16A-4919)	Fall 2006, as Final.	This regulation will amend the Board's existing regulations so that they comport with the Act 49 amendments to the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803.	
-Physician Assistants- 49 Pa. Code, Chapter 18, Subchapter D (16A-4916)	Fall 2006, as Final.	This regulation amends the Board's regulations pertaining to physician assistants. Statutory Authority: Section 13 of the Medical Practice Act of 1985, 63 P. S. § 422.1.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Respiratory Care Practitioners Continuing Education- 49 Pa. Code, Chapter 18, Subchapter F. (16A-4921)	Summer 2006, as Final.	This regulation is needed to carry out the legislative mandate of Act 55 of 2004 which required certified respiratory care practitioners to complete 20 credits of continuing education each biennium as a condition of certificate renewal. Statutory Authority: Section 1 of Act 55 of 2004 and section 36.1(f) of the Medical Practice Act of 1985, 63 P. S. § 422.36a(f).	
-Volunteer License- 49 Pa. Code § 16.18 (number not yet assigned)	Fall 2006, as Proposed.	This regulation is required to amend the current regulations regarding volunteer licenses to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	
State Board of Nursing -LPN/IV Therapy- 49 Pa. Code § 21.145 (16A-5122)	Fall 2006, as Proposed	This regulation addresses the LPN's role in working with peripherally inserted central catheters (PICC lines). Statutory Authority: Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	Ann Steffanic (717) 783-7142
-RN and LPN Program Examination Pass Rates- 49 Pa. Code, Chapter 21 (16A-5123)	Fall 2006, as Proposed.	This regulation will clarify the procedure for removing a nursing education program from the approved list and further establish standards for placing a nursing education program on provisional approval or removing the program from the approved list based on the failure rate for first-time examinees on the licensure examination. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k), and section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	
-CRNP General Revisions- 49 Pa. Code, Chapter 21, Subchapter C (16A-5124)	Fall 2006, as Proposed.	This regulation is required to implement Act 206 of 2002, which gave exclusive jurisdiction over CRNPs to the State Board of Nursing and to revise the existing regulations to allow the effective use of CRNPs to the full extent of their education and training. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k), and section 7(c) of Act 306 of 2002, P. L. 1567, No. 206, December 9, 2002.	
-Fees for CRNP Continuing Education Course Approval- 49 Pa. Code, Chapter 21 (16A-5128)	Fall 2006, as Proposed.	This regulation would establish a fee for the approval of CRNP continuing education courses. Statutory Authority: Sections 8.1(c) and 11.2(a) and (d) of the Professional Nursing Law, 63 P. S. §§ 218.1(c), 221.2(a) and (d).	
-Nursing Programs and Faculty Requirements- 49 Pa. Code, Chapter 21 (16A-5129)	Fall 2006, as Proposed.	This regulation updates the Board's regulations relating to nursing education programs as part of a systematic review of the professional nursing regulations undertaken by the Board. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
-Volunteer License- 49 Pa. Code, Chapter 21, Subchapter F, §§ 21.601—21.607. (number not yet assigned)	Fall 2006, as Proposed.	This regulation is required to amend the regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
State Board of Examiners of Nursing Home Administrators			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Administrator-In-Training- 49 Pa. Code, Chapter 39 (16A-627)	Fall 2006, as Proposed.	This regulation would create an alternative method for obtaining experience and training prior to admission to the licensing examination. Statutory Authority: Section 4(c) of the Nursing Home Administrators Licensing Act, 63 P. S. § 1104(c).	
State Board of Occupational Therapy Education and Licensure -Orders- 49 Pa. Code § 42.25 (16A-676)	Fall 2006, as Proposed.	This regulation would authorize an occupational therapist to receive an oral order when it is impracticable to receive a written order. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	Chris Stuckey (717) 783-1389
State Board of Optometry -Volunteer License- 49 Pa. Code § 23.26 (number not yet assigned)	Fall 2006, as Proposed.	This regulation is required to amend the Board's regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14).	Deborah Smith (717) 783-7155
State Board of Osteopathic Medicine -Athletic Trainers- 49 Pa. Code, Chap. 16 (16A-5314)	Fall 2006, as Final	This joint regulation would implement Act 92 of 2001, which gave the Medical and Osteopathic Boards jurisdiction over athletic trainers (formerly regulated by the State Board of Physical Therapy). Statutory Authority: Section 3 of Act 92 of 2001.	Gina Bittner (717) 783-4858
-Respiratory Care Practitioners- 49 Pa. Code, Chapter 25 (16A-5317)	Fall 2006, as Final	This regulation will amend the Board's regulations by including continuing education requirements for respiratory therapists. Statutory Authority: Section 10.2(f) of the Osteopathic Medical Practice Act, 63 P. S. § 271.10b(f).	
-Volunteer License- 49 Pa. Code, Chapter 25, Subchapter L, §§ 25.601—25.607. (number not yet assigned) .	Fall 2006, as Proposed.	This regulation is required to amend the Board's regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 16 of the Osteopathic Medicine Act, 63 P. S. § 271.16.	
State Board of Pharmacy -Supplies and Equipment- 49 Pa. Code, Chapter 27 (16A-5415)	Fall 2006, as Proposed.	The regulation would amend existing regulations pertaining to supplies and equipment to eliminate a specific list of supplies and allow pharmacies to keep on hand supplies specific to the pharmacy's area of practice. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1) and (9).	Melanie Zimmerman (717) 783-7156
-General Revisions- 49 Pa. Code, Chapter 27 (16A-5416)	Fall 2006, as Proposed.	The proposed regulation would update the regulations of the Board to delete outdated portions and amend sections to recognize current pharmacy practice. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1) and (9).	
-Continuing Education- 49 Pa. Code § 27.32 (16A-5417)	Fall 2006, as Proposed.	The proposed regulation would clarify the Board's continuing education requirements. Statutory Authority: Section 3.1 of the Pharmacy Act, 63 P. S. § 390-3.1.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Syringes and Needles- 49 Pa. Code, Chapter 27 (16A-5418)	Fall 2006, as Proposed.	This regulation would amend existing regulations to eliminate the requirement for a prescription prior to dispensing needles and syringes by a pharmacist. Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j) and 390-6(k)(1) and (9).	
-Pharmacist Breaks- 49 Pa. Code Chapter 27 (16A-5419)	Fall 2006, as Proposed.	This regulation would permit a sole pharmacist on duty to take up to a thirty-minute break while the pharmacy remains open. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1) and (9).	
State Board of Physical Therapy -Biennial Renewal Fees- 49 Pa. Code § 40.5 (16A-6511)	Fall 2006, as Proposed.	This regulation would increase the biennial renewal fees for physical therapists, physical therapy assistants and certificate holders. Statutory Authority: Section 8(b) of the Physical Therapy Practice Act, 63 P. S. § 1308(b).	J. Robert Kline (717) 783-7134
State Board of Podiatry -Certificate of Authority to Perform Acupuncture- 49 Pa. Code, Chapter 29 (16A-449)	Fall 2006, as Proposed.	This regulation is required to establish the fees and regulate the practice of acupuncture by podiatrists under the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803.	Gina Bittner (717) 783-4858
-Volunteer License- 49 Pa. Code § 29.55 (number not yet assigned)	Fall 2006, as Proposed.	This regulation is required to amend the Board's regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	
State Board of Psychology -Qualifications- 49 Pa. Code, Chapter 41 (16A-6315)	Fall 2006, as Proposed.	This regulation amends education, experience and examination requirements as well as creates new and amends existing supervisor requirements. Statutory Authority: Sections 3.2(1) and (2) of the Professional Psychologists Practice Act, 63 P. S. §§ 1203.2(1) and (2).	Chris Stuckey (717) 783-7155
-Electronic Transfer of Continuing Education Rosters- 49 Pa. Code § 41.59 (16A-6317)	Spring 2007, as Proposed.	This regulation would require continuing education sponsors to electronically transfer continuing education rosters to the Board. Statutory Authority: Section 15 of the Professional Psychologists Practice Act, 63 P. S. § 1215.	
-Code of Ethics- 49 Pa. Code § 41.61 (16A-6318)	Fall 2006, as Proposed	This regulation would update the Board's Code of Ethics so that it would be in line with changes to the American Psychological Association and the Association of State and Provincial Psychology Boards. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	
State Real Estate Commission -Seller's Property Disclosure Statement- 49 Pa. Code § 33.335a (16A-5611)	Summer 2006, as Final (with Proposed rulemaking omitted)	This regulation adopts a form "seller's property disclosure statement" as required by Act 114 of 2000. Statutory Authority: Section 7304(a) of the Residential Real Estate Transfers Law, 63 P. S. § 7304(a).	Deborah Misheck (717) 783-3658

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Education- 49 Pa. Code § 35.384, 35.385. (16A-5613)	Winter 2006-2007, as Proposed.	The Proposed Regulation would require new licensees to complete a mandatory 14-hour post-licensure course in lieu of their continuing education. Statutory Authority: Sections 404 and 404.1 of the Real Estate Licensing and Registration Act, 63 P. S. §§ 455.404 and 455.404a.	
-Consumer Notice- 49 Pa. Code § 35.336 (16A-5614)	Fall 2006, as Proposed.	This regulation would shorten and simplify the Consumer Notice mandated by section 608 of the Real Estate Licensing and Registration Act. Statutory Authority: 63 P. S. § 455.608.	
-Schedule of Civil Penalties- 49 Pa. Code § 43b.8 (16-32)	Fall 2006, as Final.	This regulation would amend the existing Act 48 Schedule of Civil Penalties formerly promulgated by the Real Estate Commission in 1998. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors -Continuing Education- 49 Pa. Code, Chapter 47 (16A-6912)	Fall 2006, as Final.	This regulation would require that licensees complete continuing education as a condition of license renewal. Statutory Authority: Sections 18(a) 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. §§ 1918(a) and 1906(2).	Sandra Matter (717) 783-1389
-Sexual Misconduct- 49 Pa. Code §§ 50.20—50.25. (16A-691)	Summer 2006, as Final.	This regulation defines the professional relationship and prohibits sexual intimacies between a client/patient and the social worker, clinical social worker, marriage and family therapist or professional counselor. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	
-Technical Amendments- 49 Pa. Code §§ 47.1 and 47.1a. (16A-699)	Fall 2006, as Final.	This regulation clarifies the definition of “accredited school” and deletes the requirement that supervisors of clinical social work applicants for licensure hold a license to practice social work in this Commonwealth so long as they are currently licensed to practice social work in any jurisdiction. Statutory Authority: Section 6 of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906.	
-Child Abuse Reporting Requirements- 49 Pa. Code, Chapters 48 and 49 (16A-6910)	Fall 2006, as Final.	This regulation would extend the mandatory reporting requirements of the Child Protective Services Law (CPSL) to marriage and family therapists and professional counselors. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2) and Section 6383 of the CPSL, 23 Pa.C.S. § 6383.	
-Standards of Professional Conduct- 49 Pa. Code, Chapters 47, 48 and 49 (16A-6911)	Fall 2006, as Proposed.	The regulation would establish a code of ethics and standards of professional conduct for social workers, clinical social workers, marriage and family therapists, and professional counselors licensed by the board. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	
State Board of Examiners in Speech -Language and Hearing			Sandra Matter (717) 783-1389



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Assistant Regulations- 49 Pa. Code §§ 45.301—308. (16A-6801)	Fall 2006, as Proposed.	This amendment would update the regulatory provisions pertaining to assistants. Statutory Authority: Section 5(8) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(8).	
-Standards of Practice and Conduct- 49 Pa. Code § 45.103 (number not yet assigned)	Fall 2006, as Proposed.	This regulation would provide the Board with an enforcement mechanism to compel a mental or physical exam where there is probable cause to believe a licensee is unable to practice with reasonable skill and safety because of illness, drunkenness, excessive use of controlled substances, chemicals or other materials or as a result of a physical or mental condition. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).	
State Board of Vehicle Manufacturers, Dealers and Salespersons -Salesperson License- 49 Pa. Code, Chapter 19 (16A-609)	Fall 2006, as Proposed.	The Board of Vehicles Act requires every person who is engaged in the buying, selling or exchanging of vehicles for a commission, compensation or other consideration, to be a licensed salesperson on behalf of a dealer, unless that person is the dealer. This regulation would clarify that the reference to "dealer" in the phrase "unless that person is the dealer" refers only to a person holding a dealer license as a sole proprietor. Statutory Authority: Section 4(9) of the Board of Vehicles Act, 63 P. S. § 818.4(9).	Pamela Marsden (717) 783-1697
-Act 48 of 1993 Civil Penalties- 49 Pa. Code, Chapter 43b.9 (16-32)	Fall 2006, as Final.	This regulation would amend the schedule of Act 48 of 1993 civil penalties for violations of the Board of Vehicles Act and the Board's regulations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	
State Board of Veterinary Medicine -Certified Veterinary Technician Specialties- 49 Pa. Code § 31.38. (16A-5716)	Fall 2006, as Final.	This regulation would provide that only an individual certified by a veterinary technology academy recognized by the National Association of Veterinary Technicians may hold himself or herself out as a specialist. Statutory Authority: Section 11 of the Veterinary Medicine Practice Act, 63 P. S. § 485.11.	J. Robert Kline (717) 783-7134
-Biennial Renewal Fees- 49 Pa. Code § 31.41 (16A-5717)	Summer 2006, as Final.	This regulation would increase the biennial license renewal fee for veterinarians from \$225 to \$300, and would increase the biennial renewal fee for certified veterinary technicians from \$60 to \$75. Statutory Authority: Section 13(a) of the Veterinary Medicine Practice Act, 63 P. S. § 485.13(a).	
-Veterinary Dentistry- 49 Pa. Code, Chapter 31 (16A-5718)	Spring 2007, as Proposed.	This regulation would address issues relating to veterinary dentistry. Statutory Authority: Section 5 of the Veterinary Medicine Practice Act, 63 P. S. § 485.5.	
-Record Keeping- 49 Pa. Code, Chapter 31 (16A-5719)	Fall 2006, as Proposed	This regulation would establish standards for veterinary medical records. Statutory Authority: Section 5 of the Veterinary Medicine Practice Act, 63 P. S. § 485.5.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Facilities- 49 Pa. Code, Chapter 31 (16A-5720)	Spring 2007, as Proposed.	This regulation would establish standards for and require registration of veterinary facilities. Statutory Authority: Sections 5 and 27 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.27.	
-Professional Conduct- 49 Pa. Code, Chapter 31 (16A-5721)	Fall 2006, as Proposed.	This regulation would clarify the types of conduct that constitutes unprofessional conduct which may lead to disciplinary action under section 21(1) of the Veterinary Medicine Practice Act. Statutory Authority: Sections 5 and 21 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.21.	
<b>STATE EMPLOYEES' RETIREMENT SYSTEM</b>			
4 Pa. Code § 250.2. Time to appeal. (This proposed regulation will supercede that portion of 1 Pa. Code § 35.35 pertaining to the 10-day period of time to appeal from delegated actions of subordinate officers and substitute a 30-day period of time to file an appeal.)	Spring 2006 The Board started the promulgation at its April 26, 2006 meeting.	Current hearing regulations are inconsistent with operational practice supporting member-friendly service.	Paul Stahlnecker, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code §§ 250.1 and 250.15. Applicability of general rules. (These current regulations will be modified to permit the application of proposed 4 Pa. Code § 250.2.)	Spring 2006 The Board started the promulgation at its April 26, 2006 meeting.	Specific provisions in SERS' regulations should be exceptions to the general rules of administrative practice and procedure.	Paul Stahlnecker, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 247.11 Priority of taxation, attachments and assignments of funds. (This proposed regulation will clarify the priority of payments to be made from the members' accounts by SERS pursuant to 71 Pa. C.S. § 5953.)	Summer/Fall 2006	The statute does not set priorities among conflicting demands on members' accounts. A recent court decision has offered partial guidance in this area. A regulation would enable consistent application of the statute and would reduce litigation of priority issues.	Brian McDonough, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 247.7(c). Priority of death benefit payment. (This proposed regulation will clarify the priority of death benefit payments to be made by SERS pursuant to the second sentence of 71 Pa.C.S. § 5905(g).)	Summer/Fall 2006	The statute does not set priorities among conflicting demands on members' death benefits. A regulation would enable consistent application of the statute and would reduce litigation of priority issues.	Paul Stahlnecker, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
4 Pa. Code § 241.1. Preliminary Provisions. (This proposed regulation will delete the definition of the phrase "class of service multiplier" from the definitional section of the regulations.)	Spring 2006	The final-form documents have been filed with the Legislative Reference Bureau. The definition to be repealed is outmoded and does not apply to the benefit formula currently in use.	Salvatore Darigo, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657
4 Pa. Code § 243.8. Membership, Credited Service, and Eligibility for Benefits. (This proposed regulation will delete the classes of service which were closed to new members on March 1, 1974)	Spring 2006 The final-form documents have been filed with the Legislative Reference Bureau.	The regulation has been rendered obsolete by changes to SERS' enabling legislation and benefit formula.	Salvatore Darigo, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657
4 Pa. Code § 249.2 Preliminary Provisions. (This proposed regulation will delete the portion of this regulation dealing with public inspection of certain records of the State Employees' Retirement Board.)	Spring 2006 The final-form documents have been filed with the Legislative Reference Bureau.	The regulation is outmoded, unenforceable and is unnecessary due to the Right-To-Know Law.	Salvatore Darigo, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657
4 Pa. Code § 247.3. Reduction of annuities because of Social Security old-age insurance benefits.	Fall/Winter 2006	This reserved section will be used to clarify the effect of COLAs on annuity reductions.	Brian McDonough, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657
<b>STATE POLICE</b>			
Interception, maintenance, and destruction of Mobile Video Recordings 37 Pa. Code Chapter 50	January 2007, as proposed.	Act 53 of 2002 requires the State Police Commissioner, in consultation with the Attorney General, to promulgate these regulations. 18 Pa.C.S. §§ 5704(16), 5749	Syndi L. Guido Policy Director 717-772-0905
DNA Detection of Sexual and Violent Offenders. 37 Pa. Code Chapter 58	January 2007, as proposed	Act 185 of 2004 repealed Chapter 47 of Title 42 of the Pennsylvania Consolidated Statutes and amended Title 44 to add Chapter 23, DNA Data and Testing. The act requires the State Police to promulgate rules and regulations to carry out its provisions.	Syndi L. Guido Policy Director 717-772-0905

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of Megan's Law—Neighbor Notification 37 Pa. Code Chapter 55	January 2007, as proposed	Act 18 of 2000, known as Megan's Law, provides for the registration of sexual offenders and community notification for sexually violent predators. The act requires the Department to promulgate guidelines for the general administration of the act in consultation with the Department of Corrections, the Office of Attorney General, the Pennsylvania Board of Probation and Parole, and the chairmen and minority chairmen of the Senate and House Judiciary Committees. The act also requires the Department to write regulations regarding neighbor notification of sexually violent predators' residence, school, or employer. See 42 Pa.C.S. § 9799.1 Although the requisite guidelines and regulations have been promulgated, the Department is in the process of updating them in light of Act 152 of 2004, which made substantive amendments to Megan's Law.	Syndi L. Guido Policy Director 717-772-0905
<b>STATE SYSTEM OF HIGHER EDUCATION</b>			
No regulations being developed or considered at this date.			
<b>TRANSPORTATION</b>			
177-Emission Inspection 67 Pa. Code, Chapter 177	July 2006	This regulation must be retained to stay in compliance with clean-air goals. Due to various Vehicle Code amendments and other desired changes, amendments to the regulation are required in the area of inspection station signage.	John Munafo 717-787-2171
43-Temporary Registration Cards and Plates 67 Pa. Code, Chapter 43	March 2007	Act 152 of 2002 enacted legislation (requiring contracts for all messenger and agent services) that supercedes several facets of this regulation. Based on the legislation, any reference to bond, hearings, written warnings, suspensions, revocations or fines will be removed from the regulation, as these items are now addressed in the required contracts.	Andy Cleaver 717-787-2171
75-Driver's License Exam 67 Pa. Code, Chapter 75	October 2006	The regulation is being revised to allow chiropractors to complete the learner's permit physical. HB1912, Act 76, passed July 15, 2004, requires us to allow chiropractors to complete this physical.	Anne Titler 717-783-4737
21-Odometer Read Disclosure Statements 67 Pa. Code, Chapter 21	March 2007	Changes are needed to bring the regulation current with the Vehicle Code, to specify the age at which a vehicle becomes exempt from odometer disclosure.	Andy Cleaver 717-787-2171
23-Delivery of Certificates of Title 67 Pa. Code, Chapter 23	March 2007	The method of title delivery has changed due to the electronic lien and title program (75 Pa.C.S. Section 1151). This Chapter needs to be updated to reflect the ability to transmit titles with liens electronically, rather than by mail.	Andy Cleaver 717-787-2171
13-Special Mobile Equipment 67 Pa. Code, Chapter 13	March 2007	Act 211 of 2004, which took affect January 29, 2005, changed the vehicle code definition of special mobile equipment. The regulation needs revised to align with that definition change.	Andy Cleaver 717-787-2171
17-Authorization to Verify ID Numbers 67 Pa. Code, Chapter 17	March 2007	Changes needed to document the Vehicle Identification Number (VIN) verification process. The VIN verification process is not currently documented in either the Vehicle Code or in regulations.	Andy Cleaver 717-787-2171
51-Transfer, Exchange & Reclassification of Registration 67 Pa. Code, Chapter 51	September 2006	An amendment is needed to eliminate the actual transfer fee dollar amount reference in the regulation, and replace with a reference to Section 1927 of the Vehicle Code where the fee is already listed. This will eliminate regulatory changes, if the fee amount changes in the Vehicle Code.	Phil VanBriggle 717-787-2171

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
71-School Bus Drivers 67 Pa. Code, Chapter 71	October 2006	The regulation needs to be revised to allow chiropractors to complete the school bus driver physical. HB1912, Act 76, passed July 15, 2004, requires us to allow chiropractors to complete this physical.	Chris Miller 717-346-9479
221-Obligations of Insurer and Vehicle Owner Pa. Code, Chapter 221	December 2006	This regulation should be updated to reflect the changes being proposed for more use of electronic reporting of insurance cancellation information by insurers.	Phil VanBriggles 717-787-2171
255-Messenger Services 67 Pa. Code, Chapter 255	March 2007	Act 152 of 2002 enacted legislation (requiring contracts for all messenger and agent services) that supersedes several facets of this regulation. Based on the legislation, any reference to bond, hearings, written warnings, suspensions, revocations, or fines will be removed from the regulation as these items are now addressed in the required contracts.	Andy Cleaver 717-787-2171
457-Prequalification of Bidders 67 Pa. Code, Chapter 457	September 2006	The Bureau of Construction Materials is proposing changes to the regulation due to policy changes and ECMS bid procedure changes since the last modification which was in 1998.	Joseph Cribben 717-787-3733
471-Aviation 67 Pa. Code, Chapter 471	December 2006	This regulation is being revised to clarify requirements and to allow for more practical application and enforcement of those requirements.	Brian Gearhart 717-705-1250

[Pa.B. Doc. No. 06-1227. Filed for public inspection June 30, 2006, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, June 15, 2006, and announced the following:

*Regulations Deemed Approved under section 5(g) of the Regulatory Review Act—Effective June 14, 2006*

Insurance Department #11-227: Credit Life Insurance and Credit Accident and Health Insurance (amends 31 Pa. Code Chapter 73)

Insurance Department #11-228: Minimum Reserve Standards for Individual and Group Health and Accident Insurance Contracts (amends 31 Pa. Code Chapter 84a)

ALVIN C. BUSH,  
*Chairperson*

[Pa.B. Doc. No. 06-1228. Filed for public inspection June 30, 2006, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market St., 14th Floor, Harrisburg at 10:30 a.m. 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-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Public Received Meeting</i>
11-233	Insurance Department Advances Made to Companies (Other Than Mutual Life)	6/15/06 7/20/06

ALVIN C. BUSH,  
*Chairperson*

[Pa.B. Doc. No. 06-1229. Filed for public inspection June 30, 2006, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Encompass Insurance Company of America; Private Passenger Auto Insurance Rate Revision; Rate Filing

On June 12, 2006, the Insurance Department (Department) received from Encompass Insurance Company of America a filing for a proposed rate level change for private passenger auto insurance.

The company requests an overall 6.9% increase amounting to \$5.814 million annually, to be effective August 24, 2006, for new business and renewal business.

Unless formal administrative action is taken prior to August 11, 2006, the subject filing may be deemed approved by operation of law.

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

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-1230. Filed for public inspection June 30, 2006, 9:00 a.m.]

### Keystone Health Plan Central; Base Rates; Rate Filing

On June 19th, 2006, Keystone Health Plan Central submitted Filing No. 06-J to revise its base rates. In this filing, Keystone Health Plan Central has requested a rate reduction of 4.57% for its fourth quarter 2006 rates. The filing will impact approximately 64,000 members. An effective date of October 1, 2006, has been requested.

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-1231. Filed for public inspection June 30, 2006, 9:00 a.m.]

### Keystone Health Plan Central; Medical Rider Rates; Rate Filing

On June 19th, 2006, Keystone Health Plan Central submitted Filing No. 06-K to revise its fourth quarter 2006 medical rider rates. The rate changes vary with the options chosen. The filing will impact approximately 64,000 members. An effective date of October 1, 2006, has been requested.

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-1232. Filed for public inspection June 30, 2006, 9:00 a.m.]

### Westfield Insurance Company; Homeowners Insurance Rule/Rate Revision; Rate Filing

On June 13, 2006, the Insurance Department (Department) received from Westfield Insurance Company a filing for a proposed rate level and rule change for homeowners insurance.

The company requests an overall 4.2% decrease amounting to -\$1.096 million annually effective October 1, 2006.

Unless formal administrative action is taken prior to August 12, 2006, the subject filing may be deemed approved by operation of law.

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

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

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-1233. Filed for public inspection June 30, 2006, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, will hold a meeting of the Authority's 11 member Board of Directors on Tuesday, July 11, 2006, at 10:30 a.m. in the Wildwood Conference Center, Harrisburg Area Community College, One HACC Drive, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

ALAN B. K. RABINOWITZ,  
*Administrator*

[Pa.B. Doc. No. 06-1234. Filed for public inspection June 30, 2006, 9:00 a.m.]

## PENNSYLVANIA GAMING CONTROL BOARD

### Conditional Category 1 Slot Machine License Hearing Schedule

The Pennsylvania Gaming Control Board (Board), under 58 Pa. Code § 441.19 (relating to initial slot machine application deadlines), has adopted a schedule for the slot machine licensing hearings for Conditional Category 1 slot machine license applications. The hearings, which will be open to the public, will be conducted on August 7–9, 2006, at the Auditorium, State Museum Building, Third and North Streets, Harrisburg. The times and dates of the hearings are as follows:

#### Monday, August 7, 2006

2 p.m.—Washing Trotting Association, Inc. (Meadowlands)

#### Tuesday, August 8, 2006

9 a.m.—Presque Isle Downs, Inc. (Erie)

12:30 p.m.—Downs Racing, LP (Wilkes-Barre)

3 p.m.—Chester Downs and Marina, LLC (Chester)

#### Wednesday, August 9, 2006

9 a.m.—Mountainview Thoroughbred Racing Association (Grantville)

12:30 p.m.—Greenwood Gaming and Entertainment, Inc. (Bensalem)

THOMAS A. DECKER,  
*Chairperson*

[Pa.B. Doc. No. 06-1235. Filed for public inspection June 30, 2006, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### 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 July 24, 2006. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

**A-00122875. James and Dina Lilly t/a JDK Services** (129-F Groffdale Drive, Quarryville, Lancaster County, PA 17566)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster to points in Pennsylvania, and return.

**A-00122880. Norman O. and Mabel F. Martin** (85 N. Farmersville Road, Ephrata, Lancaster County, PA 17522)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, and from points west of Route 1 in the County of Chester, to points in Pennsylvania, and return.

**A-00122881. Martha K. Boyer t/a Vu Gaesht Onna** (1071 Huff Road, New Columbia, Union County, PA 17856)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Township of White Deer, and within 35 miles of said township, to points in Pennsylvania, and return.

**A-00122882. Brad Allen Wright** (290 Samuels Church Road, McClure, Mifflin County, PA 17841)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Mifflin and Snyder, to points in Pennsylvania, and return.

#### Applications of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.*

**A-00122873 AA Taxi, Inc.** (540 Toftrees Avenue, No. 342, State College, Centre County, PA 16803) a corporation of the Commonwealth, for the right to begin to transport, as a common carrier, by motor vehicle, persons, upon call or demand, in the County of Centre; which is to be a transfer of all of the rights authorized under the certificate issued at A-00119864, F.1 to AA Transit, Inc., subject to the same limitations and conditions. *Attorney:* Richard Campbell, Esquire, 720 S. Atherton Street, State College, PA 16801.

**A-00120860, F. 2. Transportation Information Enterprises, LLC** (4001 Clairton Boulevard, West Mifflin, Allegheny County, PA 15206) a corporation of the Commonwealth, for the right to begin to transport, as a common carrier, by motor vehicle, persons, upon call or demand, in the City of Pittsburgh, Allegheny County; which is to be a transfer of all the rights under the certificate issued at A-00076135, F.2 to Peoples Cab Co., subject to the same limitations and conditions. *Attorney:* Ray F. Middleman, Esquire, 117 VIP Drive, Wexford, PA 15090.

#### Application of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.*

**A-00121372. Thomas A. Riley** (208 Goat Hill Road, Peach Bottom, Lancaster County, PA 17563)—certificate of public convenience to discontinue the right to transport, as a common carrier, persons in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-1236. Filed for public inspection June 30, 2006, 9:00 a.m.]

## Telecommunications

**A-311394F7037. Deposit Telephone Company, Inc. and T-Mobile USA, Inc.** Joint petition of Deposit Telephone Company, Inc. and T-Mobile USA, Inc. for approval of a multistate wireless traffic exchange agreement under section 252(e) of the Telecommunications Act of 1996.

Deposit Telephone Company, Inc. and T-Mobile USA, Inc., by its counsel, filed on June 1, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a multistate wireless traffic exchange agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Deposit Telephone Company, Inc. and T-Mobile USA, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-1237. Filed for public inspection June 30, 2006, 9:00 a.m.]

## Telecommunications

**A-311394F7024. Sugar Valley Telephone Company and T-Mobile USA, Inc.** Joint petition of Sugar Valley Telephone Company and T-Mobile USA, Inc. for approval of a multistate wireless traffic exchange agreement under section 252(e) of the Telecommunications Act of 1996.

Sugar Valley Telephone Company and T-Mobile USA, Inc., by its counsel, filed on June 15, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a multistate wireless traffic exchange agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Sugar Valley Telephone Company and T-Mobile USA, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-1239. Filed for public inspection June 30, 2006, 9:00 a.m.]

## Telecommunications

**A-311394F7023. Mahanoy and Mahantango Telephone Company and T-Mobile USA, Inc.** Joint petition of Mahanoy and Mahantango Telephone Company and T-Mobile USA, Inc. for approval of a multistate wireless traffic exchange agreement under section 252(e) of the Telecommunications Act of 1996.

Mahanoy and Mahantango Telephone Company and T-Mobile USA, Inc., by its counsel, filed on June 15, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a multistate wireless traffic exchange agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Mahanoy and Mahantango Telephone Company and T-Mobile USA, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-1238. Filed for public inspection June 30, 2006, 9:00 a.m.]

## Telecommunications

**A-311401F7001. Verizon North Inc. and CBB Carrier Services, Inc.** Joint petition of Verizon North Inc. and CBB Carrier Services, Inc. for approval of an interconnection agreement and amendment no. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and CBB Carrier Services, Inc., by its counsel, filed on June 16, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and amendment no. 1 under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and CBB Carrier Services, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-1240. Filed for public inspection June 30, 2006, 9:00 a.m.]



## Telecommunications

**A-311401F7000. Verizon Pennsylvania Inc. and CBB Carrier Services, Inc.** Joint petition of Verizon Pennsylvania Inc. and CBB Carrier Services, Inc. for approval of an interconnection agreement and amendment no. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and CBB Carrier Services, Inc., by its counsel, filed on June 15, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and amendment no. 1 under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and CBB Carrier Services, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-1241. Filed for public inspection June 30, 2006, 9:00 a.m.]

## Telecommunications

**A-310782F7000. Verizon Pennsylvania Inc. and IDT America, Corp.** Joint petition of Verizon Pennsylvania Inc. and IDT America, Corp. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and IDT America, Corp., by its counsel, filed on June 15, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and IDT America, Corp. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-1242. Filed for public inspection June 30, 2006, 9:00 a.m.]

## Water Service

**A-210116F0002. Three-Lane Utilities, Inc.** Application of Three-Lane Utilities, Inc. for approval of the right to begin to offer, render, furnish or supply water service to the public in an additional portion of Westfall Township, Pike County, PA.

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 July 17, 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:* Three-Lane Utilities, Inc.

*Through and By Counsel:* Kenneth Zielonis, Esquire, Stevens and Lee, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-1243. Filed for public inspection June 30, 2006, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #06-019.1, U/G Storage Tank Removal at Pier 98 S. Annex until 2 p.m. on Thursday, July 27, 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 July 7, 2006. Additional information and project listings may be found at [www.philaport.com](http://www.philaport.com). The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations. Bidders must provide to the Procurement Department in writing, the names of individuals that will be attending prebid meetings. This information is needed 24 hours prior to the meeting. Fax to (215) 426-6800, Attn: Procurement Department.

A mandatory prebid job site meeting will be held July 13, 2006, at 10 a.m. at 140 E. Oregon Ave. (pier entrance west of Corner of Columbus Blvd. and Oregon Ave.), Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 06-1244. Filed for public inspection June 30, 2006, 9:00 a.m.]

# STATE CONSERVATION COMMISSION

## Dirt and Gravel Roads Pollution Prevention Maintenance Program

As required by 25 Pa. Code § 83.604(f) (relating to apportionment criteria), the State Conservation Commission (Commission) is providing public notice of the apportionment of Fiscal Year (FY) 2006 Dirt and Gravel Road Pollution Prevention Maintenance Program (Program) funds to participating county conservation districts. This apportionment is authorized under 75 Pa.C.S. § 9106 (relating to dirt and gravel road maintenance).

### A. Effective Date

This apportionment is effective upon publication in the *Pennsylvania Bulletin*. Allocations will be disbursed when funds are released from the Treasury after July 1, 2006. The final amount and time of release of these allocations are subject to the final passage of the State budget of 2006-2007.

### B. Background

The Commission approved the following allocations at their public meeting on March 15, 2006: \$3.528 million of FY 06 funds are apportioned according to stipulations in 75 Pa.C.S. § 9106(c). Copies of 25 Pa. Code § 83.604 and 75 Pa.C.S. § 9106 are available from Michael Klimkos, State Conservation Commission Office, Room 407, Agriculture Building, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-8821.

The following allocations are being made to the county conservation districts participating in the Program. Not all counties receive an allocation as provided for at Pa. Code § 83.613(a) (relating to performance standards).

### FY 2006—2007 Allocations

*Adams	\$15,000*
**Allegheny	\$0**
Armstrong	\$127,973
*Beaver	\$15,000*
Bedford	\$41,022
*Berks	\$15,000*
Blair	\$20,773
Bradford	\$315,337
Bucks	\$16,604
Butler	\$30,098
Cambria	\$15,156
Cameron	\$33,386
Carbon	\$25,955
Centre	\$33,576
Chester	\$17,181
Clarion	\$60,990
Clearfield	\$67,166
Clinton	\$22,948
Columbia	\$79,468
Crawford	\$147,591
*Cumberland	\$15,000*
Dauphin	\$23,599
Elk	\$24,238

Erie	\$53,308
Fayette	\$32,468
Forest	\$21,414
Franklin	\$15,328
Fulton	\$30,368
Greene	\$37,971
Huntingdon	\$72,068
Indiana	\$93,510
Jefferson	\$45,399
Juniata	\$36,166
Lackawanna	\$28,596
Lancaster	\$16,765
*Lawrence	\$15,000*
*Lebanon	\$15,000*
Lehigh	\$26,313
Luzerne	\$25,094
Lycoming	\$82,993
McKean	\$21,316
Mercer	\$47,624
Mifflin	\$20,905
**Monroe	\$0**
*Montgomery	\$15,000*
Montour	\$17,885
**Northampton	\$0**
Northumberland	\$48,110
Perry	\$42,036
Pike	\$57,042
Potter	\$133,531
Schuylkill	\$54,020
Snyder	\$28,229
Somerset	\$33,794
Sullivan	\$68,323
Susquehanna	\$135,913
Tioga	\$315,545
Union	\$25,489
Venango	\$74,679
Warren	\$193,065
Washington	\$76,873
Wayne	\$115,257
Westmoreland	\$27,405
Wyoming	\$58,130
York	\$107,007

\* \$15,000 minimum applied

\*\* Did not meet SCC spending requirements for allocation eligibility

Total Allocated to Districts = \$3,528,000

DENNIS C WOLFF,  
Chairperson

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