

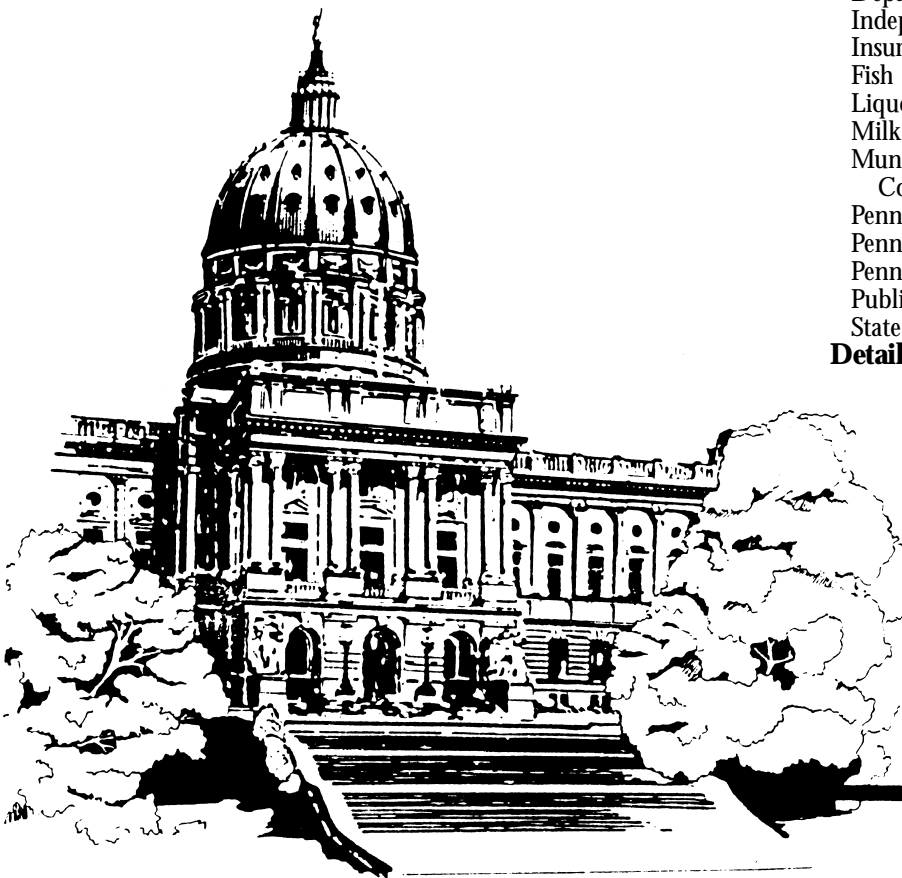
PENNSYLVANIA BULLETIN

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The Courts
Department of Agriculture
Department of Banking
Department of Environmental Protection
Department of General Services
Department of Health
Department of Revenue
Department of Transportation
Independent Regulatory Review Commission
Insurance Department
Fish and Boat Commission
Liquor Control Board
Milk Marketing Board
Municipal Police Officers' Education and Training
Commission
Pennsylvania Industrial Development Authority
Pennsylvania Municipal Retirement Board
Pennsylvania Public Utility Commission
Public School Employees' Retirement Board
State Board of Cosmetology

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**Latest Pennsylvania Code Reporter
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No. 382, September 2006

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

Bulletin before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

Citation to the *Pennsylvania Bulletin*

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

Pennsylvania Code

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

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Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2006.

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THE COURTS

Title 207—JUDICIAL CONDUCT

PART IV. COURT OF JUDICIAL DISCIPLINE

[207 PA. CODE CHS. 1 AND 3]

Amendment to the Rules of Procedure of the Court of Judicial Discipline; Doc. No. 1 JD 94

Order

Per Curiam

And Now, this 6th day of September, 2006, the Court, pursuant to Article 5, Section 18(b)(4) of the Constitution of Pennsylvania, having adopted amendments to Rules of Procedure Nos. 102 and 301, as more specifically herein-after set forth, *It Is Hereby Ordered:*

That Rules of Procedure Nos. 102 and 301 shall become effective immediately.

Annex A

TITLE 207. JUDICIAL CONDUCT PART IV. COURT OF JUDICIAL DISCIPLINE ARTICLE I. PRELIMINARY PROVISIONS CHAPTER 1. GENERAL PROVISIONS IN GENERAL

Rule 102. Definitions.

The following words and phrases when used in these rules shall have the following meanings, unless the context or subject matter otherwise requires:

* * * * *

Petition for Relief is a document filed pursuant to these Rules to initiate proceedings other than formal charges in the Court.

President Judge is a member of the Court elected by the Court to act as the President Judge.

* * * * *

ARTICLE II. PROCEEDINGS BASED ON THE FILING OF FORMAL CHARGES

CHAPTER 3. INITIATION OF FORMAL CHARGES

Rule 301. Initiating Formal Charges; Conference Judge; Scheduling.

* * * * *

(B) *Appointment of Conference Judge.* Within 10 days after a Board Complaint is filed pursuant to paragraph (A), the President Judge shall appoint a member of the Court to serve as Conference Judge on the case as provided in these rules.

(C) *Duties of Conference Judge Following the Filing of Formal Complaint.* In addition to the other duties of Conference Judge set forth in these rules, the Conference Judge shall:

* * * * *

(D) The Clerk shall serve certified copies of orders scheduling pre-trial conferences and trials to the Board and the Judicial Officer.

* * * * *

[Pa.B. Doc. No. 06-1860. Filed for public inspection September 22, 2006, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Candace Kay Calhoun having been indefinitely suspended from the practice of law in the State of Maryland by Opinion and Order of the Court of Appeals of Maryland filed March 9, 2006, the Supreme Court of Pennsylvania issued an Order dated September 7, 2006, suspending Candace Kay Calhoun from the practice of law in this Commonwealth consistent with the Opinion of the Court of Appeals of Maryland. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Secretary
The Disciplinary Board of the Supreme Court of Pennsylvania

[Pa.B. Doc. No. 06-1861. Filed for public inspection September 22, 2006, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Edwin R. Jonas, III, having been suspended from the practice of law in the State of New Jersey for a period of six months by Order of the Supreme Court of New Jersey dated January 24, 2006, the Supreme Court of Pennsylvania issued an Order dated September 7, 2006, suspending Edwin R. Jonas, III, from the practice of law in this Commonwealth for a period of six months. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Secretary
The Disciplinary Board of the Supreme Court of Pennsylvania

[Pa.B. Doc. No. 06-1862. Filed for public inspection September 22, 2006, 9:00 a.m.]

RULES AND REGULATIONS

Title 37—LAW

MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

[37 PA. CODE CH. 203]

Administration of the Training Program

The Municipal Police Officers' Education and Training Commission (Commission) amends Chapter 203 (relating to administration of the program) to read as set forth in Annex A.

The Commission amends § 203.11(a)(8) and (11)(ii)(D) (relating to qualifications) to delete the sit and reach test from the physical fitness requirements and to charge applicants who are not employed by, or have a conditional offer of employment from, a police department an examination fee equal to the actual cost of administering the test.

The Commission amends § 203.12(2)(iv) (relating to waiver of training) to allow training waivers for out-of-State police officers only if they have been certified based on an approved basic police course comparable to the one required by 53 Pa.C.S. Chapter 21, Subchapter D (relating to municipal police officers education and training).

The Commission amends § 203.33(a) (relating to minimum school standards and requirements) to require certified schools to have a school director who meets certain standards. The Commission adds § 203.37 (relating to minimum standards for school directors) to set forth these standards.

The Commission also amends § 203.35 (relating to emergency suspension of school certification) to allow the Commission's Executive Director to suspend a school's certification if a condition exists at the school that presents a clear and present danger to the public, students or school staff; would cause the students not to receive training required by 53 Pa.C.S. Chapter 21, Subchapter D or Chapter 203; the school director does not meet the standards in § 203.37; or an instructor is subject to revocation under § 203.73 (relating to revocation of instructor certification).

Finally, the Commission amends § 203.102 (relating to notice) to allow Commission staff, rather than the Commission, to provide individuals and schools with notice of an adverse action.

Statutory Authority

This rulemaking is adopted under 53 Pa.C.S. § 2164 (1), (8) and (14) (relating to powers and duties of commission).

Effect

The final-form rulemaking affects recruits, out-of-State police officers seeking training waivers and certified schools.

Effective Date/Sunset Date

The final-form rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*. The regulations are continually monitored and updated as needed. Therefore, no sunset date has been set.

Comments and Responses

The Commission received no comments from the House Judiciary Committee or the Senate Law and Justice Committee.

The Pennsylvania Sheriffs Association contends the Commission should amend its regulations to allow deputy sheriffs to obtain a training waiver if they have completed training required by section 7 of the Deputy Sheriffs' Education and Training Act (71 P.S. § 2107). The Commission has rejected that suggestion because the deputy sheriffs' training course is not the equivalent of the training required by 53 Pa.C.S. Chapter 21, Subchapter D. More importantly, the training waiver in § 203.12(2)(iv) is for individuals who have already been employed as full-time police officers. As the Supreme Court of Pennsylvania recently acknowledged in *Kopko v. Miller*, No. 38 MAP 2004 (filed February 28, 2006), deputy sheriffs are not police officers and do not have general police powers.

The Commission also received comments from the Independent Regulatory Review Commission (IRRC). First, IRRC noted that the Commission is deleting provisions in § 203.35 that allowed schools to correct conditions leading to an emergency suspension. IRRC suggested the final-form rulemaking should specify the procedures for a school to undertake to correct violations as well as reinspection procedures. The Commission has considered and rejected this suggestion. The Commission will not impose an emergency suspension absent a serious violation likely to result in a major penalty or decertification of the school. For that reason, the suspension will remain in place until a hearing has been held.

Next, IRRC suggested that § 203.37 include a grandfathering provision or establish a time frame for school directors to demonstrate compliance. The Commission has added grandfathering language. IRRC also found the requirement in § 203.37(4) vague. The Commission has replaced that provision with a requirement of 2 years experience as a police or adult education instructor.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 3, 2005, the Commission submitted a copy of the notice of proposed rulemaking, published at 35 Pa.B. 5690 (October 15, 2005), to IRRC and the Chairpersons of the House Judiciary Committee and Senate Law and Justice Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on August 9, 2006, the final-form rulemaking was approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, the final-form rulemaking was approved by IRRC August 10, 2006.

Contact Person

For further information on the final-form rulemaking, contact Syndi L. Guido, Policy Director, Pennsylvania State Police, 1800 Elmerton Avenue, Harrisburg, PA 17110, (717) 772-0905. Persons with a disability who require an alternative format of this final-form rulemaking (that is, large print, audio tape or Braille), may contact Syndi L. Guido to make the necessary arrangements.

Fiscal Impact

In the past, the certification examination was only administered to individuals who had already been hired as police officers. Under this final-form rulemaking, everyone who completes training is eligible to take the certification examination. However, individuals who have not been hired as police officers must pay to take the examination. The final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

Paperwork Requirements

The final-form rulemaking will create no new paperwork requirements but will require the processing of more certification examinations.

Findings

The Commission finds that:

(1) Public notice of intention to adopt these amendments has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered and forwarded to IRRC, the House and Senate Committees.

(3) The adoption of this final-form rulemaking in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statute.

Order

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 37 Pa. Code Chapter 23, are amended by amending §§ 203.1, 203.11, 203.12, 203.33, 203.35 and 203.102 to read as set forth at 35 Pa.B. 5690 and by adding § 203.37 to read as set forth in Annex A.

(b) The Commission will submit this order, 35 Pa.B. 5690 and Annex A to the Office of General Counsel and Office of Attorney General as required by law for approval as to form and legality.

(c) The Commission shall certify this order, 35 Pa.B. 5690 and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

COL. JEFFREY B. MILLER,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 36 Pa.B. 4801 (August 26, 2006).)

Fiscal Note: Fiscal Note 17-68 remains valid for the final adoption of the subject regulations.

Annex A**TITLE 37. LAW****PART IV. MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION****Subpart A. MUNICIPAL POLICE OFFICERS' TRAINING PROGRAM****CHAPTER 203. ADMINISTRATION OF THE TRAINING PROGRAM****Subchapter C. SCHOOL REQUIREMENTS****§ 203.37. Minimum standards for school directors.**

(a) After September 23, 2006, school directors shall meet the minimum standards set forth in this section.

(b) School directors approved by the Commission shall demonstrate compliance with at least one standard set forth in paragraph (1) and at least one standard set forth in paragraph (2).

(1) School directors shall satisfy one of the following requirements:

(i) Possess an associate's or higher degree in criminal justice, public administration, education or related field.

(ii) Be a graduate of one of the following:

(A) The Federal Bureau of Investigation National Academy.

(B) The Southern Police Institute Administrative Officers Course.

(C) The Law Enforcement Instructor Training Course of the Federal Law Enforcement Training Center.

(D) The Northwestern University Staff and Command School.

(E) Other law enforcement training program approved by the Commission.

(2) School directors shall satisfy one of the following minimum professional experience requirements:

(i) Ten years in law enforcement, including 5 years at an administrative level.

(ii) Fifteen years increasingly responsible full-time experience as a Federal, State or municipal police officer with general police powers.

(c) School directors shall be free of convictions for a disqualifying criminal offense.

(d) School directors shall possess at least 2 years experience as a police or adult education instructor.

[Pa.B. Doc. No. 06-1863. Filed for public inspection September 22, 2006, 9:00 a.m.]

Title 58—RECREATION**FISH AND BOAT COMMISSION****[58 PA. CODE CHS. 61, 63, 65 AND 69]****Fishing**

The Fish and Boat Commission (Commission) amends Chapters 61, 63, 65 and 69. The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

A. Effective Date

The final-form rulemaking will go into effect on January 1, 2007.

B. Contact Person

For further information on the final-form rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's website at www.fish.state.pa.us.

C. Statutory Authority

The amendments to §§ 61.1, 61.2, 63.3, 65.26, 69.12 and 69.12a are published under the statutory authority of section 2102 of the code (relating to rules and regulations). The amendment to § 63.20 (relating to permits for the protection and management of trout and salmon) is published under the statutory authority of section 2904 of the code (relating to permits for protection and management of particular fish). The amendments to §§ 65.4a, 65.7, 65.9, 65.12 and 65.24 are published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. Purpose and Background

The final-form rulemaking is designed to update, modify and improve the Commission's fishing regulations. The specific purpose of the amendments is described in more detail under the summary of changes.

E. Summary of Changes

(1) *Sections 61.1 and 65.26.* Recently, a question arose as to which waters the extended season applies. Section 61.1 (relating to Commonwealth inland waters) states that the extended season applies to "streams listed as approved trout waters and all waters downstream of streams listed as approved trout waters, plus lakes and ponds." Section 65.26 (relating to extended trout seasons), on the other hand, states that the extended season is in effect on "approved trout waters and downstream areas, plus lakes and ponds." The wording of these sections does not reflect that lakes and ponds themselves can be approved trout waters or that lakes and ponds can be waters downstream of approved trout waters. Therefore, the Commission proposed that these sections be amended to provide that the extended season applies to approved trout waters and all waters downstream of approved trout waters. The Commission adopted the proposed amendments to read as set forth in the proposed rulemaking.

(2) *Section 63.20.* Under § 63.20(e), a trout/salmon permit is required when a person fishes in streams or rivers that are approved trout waters or their tributaries during the 2-week period that begins on the first Saturday after April 11. However, this 2-week period does not cover the period when the Commission is actively stocking trout. Therefore, the Commission proposed that § 63.20 be amended to provide that a trout/salmon permit is required when a person fishes in streams and rivers that are approved trout waters or their tributaries from March 1 through May 31. This period more accurately reflects the period during which the majority of the Commission's stocking occurs. In addition, the requirement is consistent with the Commission's thinking that trout are the primary species being targeted by anglers during that time period. The Commission adopted the proposed amendment to this section to read as set forth in the proposed rulemaking.

(3) *Sections 65.12 and 61.1, 61.2, 63.3, 65.4a, 65.7, 65.9, 65.24, 69.12 and 69.12a.* Under the current regulations for Commonwealth inland waters, the opening day of the regular trout season occurs on the first Saturday

after April 11. Considering the fact that differences exist in climate across this Commonwealth, the time frame for providing optimum conditions for trout angling during the spring is earlier in portions of southern Pennsylvania, particularly in southeastern Pennsylvania. For example, in southeastern Pennsylvania, air temperatures tend to be warmer earlier in the spring as compared with other regions of this Commonwealth. These warmer temperatures also provide conditions better suited for trout angling at an earlier time in the spring in this region of this Commonwealth. However, these same warming conditions also can limit trout angling opportunities by mid-spring on many southeastern Pennsylvania waters. The combination of a mid-April opening day and the potential for these waters to become too warm for trout angling by mid-May constricts the amount of time that trout angling can be provided. The Commission therefore proposed the establishment of an earlier opening day in this region of this Commonwealth to address this problem.

Another issue that an earlier opening day in southeastern Pennsylvania will address is the growing concerns with the movement of stocked trout prior to opening day as well as the fact that some fish die between the time of stocking and opening day. A southeast regional opening day will provide the opportunity to stock trout in southeastern Pennsylvania earlier for the earlier opening day and shift the stocking to the other regions for the later opening day. This will effectively help to shorten the times between stocking and opening day throughout this Commonwealth.

The Commission reviewed several alternative boundaries for the southeast regional opening day and proposed to utilize the alternative that covers the following 18 counties: Adams, Berks, Bucks, Chester, Cumberland, Dauphin, Delaware, Franklin, Juniata, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Perry, Philadelphia, Schuylkill and York. To provide for an earlier opening day in southeastern Pennsylvania, the Commission proposed a new special regulations program entitled the Regional Opening Day of Trout Season Program (program) in § 65.12 (relating to Regional Opening Day of Trout Season Program). This program will allow the Executive Director, with the approval of the Commission, to designate waters in certain regions as waters subject to the Regional Opening Day of Trout Season regulations. The opening day of trout season for these waters will be the first Saturday after March 28, 2 weeks earlier than the current opening day. The Commission adopted proposed § 65.12 to read as set forth in the proposed rulemaking.

With the creation of a regional opening day, the Commission also amended § 61.1 and § 63.3 (relating to fishing in approved trout waters) to read as set forth in the proposed rulemaking to reflect that it is unlawful to fish in approved trout waters regulated under the program from 12:01 a.m. on March 1 to 8 a.m. on the first Saturday after March 28. This prohibition is in addition to the current prohibition against fishing in approved trout waters regulated under § 61.1 from 12:01 a.m. on March 1 to 8 a.m. on the first Saturday after April 11. The creation of a regional opening day also required minor amendments to §§ 61.1, 61.2, 65.4a, 65.7, 65.9, 65.24, 69.12 and 69.12a to clarify that the opening day that is referred to in those sections is the opening day of the regular trout season (that is, the first Saturday after April 11). The Commission amended these sections to read as set forth in the proposed rulemaking.

F. Paperwork

The final-form rulemaking will not increase paperwork and will create no new paperwork requirements.

G. Fiscal Impact

The final-form rulemaking will not have an adverse fiscal impact on the Commonwealth or its political subdivisions. However, the Commission will incur relatively nominal costs to print and post new signs for waters included in the program. The final-form rulemaking will impose no new costs on the private sector or the general public.

H. Public Involvement

The proposed rulemaking was published at 36 Pa.B. 2708 (June 3, 2006). The Commission received a total of ten public comments concerning the proposed program—eight prior to the official comment period, one during and one after. Four of the comments supported the proposed rulemaking and six opposed it. Copies of all public comments were provided to the Commissioners.

Anglers also were recently interviewed as part of the Lehigh River survey. When interviewed, anglers were advised that the Commission was considering a change that would create two different opening days of trout season in regions of this Commonwealth and that under this option, the current opening day would continue to apply over much of this Commonwealth, but for waters in southeastern Pennsylvania, the season would open approximately 2 weeks earlier than the present opening day. The survey included 454 anglers; 346 or 76% responded that they “agreed.”

The Commission did not receive any public comments concerning the other proposals in the proposed rulemaking.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201, 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2).

(2) A public comment period was provided, and the comments that were received were considered.

(3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 61, 63, 65 and 69, are amended by amending §§ 61.1, 61.2, 63.3, 63.20, 65.4a, 65.7, 65.9, 65.24, 65.26, 69.12 and 69.12a and by adding § 65.12 to read as set forth at 36 Pa.B. 2708.

(b) The Executive Director shall submit this order and 36 Pa.B. 2708 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 36 Pa.B. 2708 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on January 1, 2007.

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

Fiscal Note: Fiscal Note 48A-183 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 06-1864. Filed for public inspection September 22, 2006, 9:00 a.m.]

PROPOSED RULEMAKING

MILK MARKETING BOARD

[7 PA. CODE CHS. 145—147]

Refrigeration Equipment; Records and Reports

The Milk Marketing Board (Board) proposes to delete the provisions in Chapter 145, add the reformatted and amended provisions in new Chapter 146 (relating to transactions between dealers and customers) and amend § 147.12 (relating to contracts for sale or lease of refrigeration equipment) to read as set forth in Annex A.

Purpose

Current Board regulations prohibit milk dealers from giving or lending refrigeration equipment to wholesale customers without charge, but do not prohibit milk dealers from selling or leasing equipment to customers according to specified terms and conditions. During a recent Statewide enforcement audit conducted by Board staff, it was discovered that virtually all dealers in this Commonwealth that were providing refrigeration equipment to wholesale customers were not in compliance with these terms and conditions. It is apparent to the Board that the industry is not being well served by the existing regulations. Based upon reviews of existing practices, as well as feedback from industry participants during private discussions and public meetings, the Board believes that there is a strong preference for a method to incorporate sale and lease charges into the wholesale minimum price of milk, rather than requiring sale and lease payments that are separate and apart from payments for milk.

This proposed rulemaking provides a method whereby licensed milk dealers may sell or lease refrigeration equipment to wholesale customers through an additional charge, or "up-charge" of not less than 1¢ or 1/4¢, respectively, added to the Board-established minimum prices. The secondary purposes of the proposed rulemaking are to: clarify that subdealers as well as dealers are governed by the regulations; specify that a manufacturer or seller of refrigeration equipment may not sell or in any way handle milk without a license; clarify that cream dispensers are considered as refrigeration equipment covered by the regulations; and preclude the possibility of a dealer avoiding the regulations by contracting with a seller or manufacturer of equipment to have the equipment delivered to a wholesale customer on behalf of the dealer.

Summary of the Proposed Rulemaking

Proposed § 146.1 (relating to applicability) prohibits a dealer or subdealer from avoiding the regulations by purchasing equipment that will be delivered by the seller of the equipment directly to a wholesale customer; prohibits a dealer or subdealer from avoiding the regulations by contracting with a third party to provide equipment to a wholesale customer; prohibits a manufacturer of refrigeration equipment from selling or in any way handling milk in this Commonwealth without a license; and exempts grocery wholesalers who are licensed as dealers, and who in the normal course of their business supply their subsidiaries, franchisees, affiliates or nonaffiliated customers with a complete line of groceries, including milk, to the extent that refrigeration equipment is not used as an inducement related to acquiring or retaining the milk business of any customers.

Existing § 145.2 established the written requirements for leases and requires that the leases be for "an amount comparable to the fair rental value of the equipment at the time of the execution of the lease." This proposal eliminates that language. Existing § 145.3 sets out a minimum monthly amount that must be paid, based upon the value of the equipment, and requires monthly payments, in advance, billed separately from any other billing. Proposed § 146.3 (relating to leasing agreements) establishes a minimum upcharge of 1/4¢ per quart equivalent added to the Board-established minimum prices for every unit of controlled products sold to the customer at the site where the leased equipment is used. The proposed section also adds the words "or cream" to the types of equipment covered and removes any possible ambiguity as to whether dispensers are covered and also describes the written agreement that is required.

Proposed § 146.4 (relating to sale of equipment) governs the sale of refrigeration equipment. This section establishes a minimum upcharge of 1¢ per quart equivalent added to the Board-established minimum prices for every unit of controlled products sold to the customer at the site where the purchased equipment is used, until the full value of the equipment has been paid. The proposed rulemaking also adds the words "or cream" for consistency with § 146.3.

Proposed § 146.5 (relating to exceptions for certain schools regarding refrigeration equipment) adds subdealers to the exceptions regarding refrigeration equipment in schools.

Proposed §§ 146.7 and 146.8 (relating to identification of ownership of equipment; and unfair pricing) include subdealers in provisions regarding leased equipment and pricing.

Section 147.12 currently requires a dealer wishing to sell or lease equipment to a customer to submit the sale or lease agreement to the Board for approval. The proposed rulemaking eliminates the need for Board approval of sale or lease agreements by the removal of the words "for approval." For consistency with other sections dealing with sales and leases, the word "contract" (of sale or lease) has been replaced with "agreement" and "or subdealer" has been added. Finally, the phrase "subject to § 146.1 (relating to applicability)" has been added to exempt grocery wholesaler licensees who are exempted from Chapter 145.

Statutory Authority

Section 307 of the Milk Marketing Law (act) (31 P. S. § 700j-307) provides the Board with the authority to adopt and enforce regulations necessary or appropriate to carry out the provisions of the act.

Public Hearing

The Board held a public meeting/workshop on March 8, 2006, to discuss the issue in general and to determine what changes to the regulations, if any, the interested parties would like to see. Among the attendees were representatives of the Pennsylvania Association of Milk Dealers, the Pennsylvania Food Merchants' Association, Dairy Marketing Services, LLC, Dean Foods Company, Meadow Brook Dairy Company, Lehigh Valley Dairies, Schneider's Dairy, Inc., Schneider-Valley Farms, Inc. and Wawa Dairy, Inc. The problem expressed by the attendees at this meeting was that many wholesale customers want dealers to provide refrigeration equip-

ment, but are unwilling to pay a separate sales or lease payment as required by the current regulations. There was a consensus that customers would be willing to pay these charges if they were included as an additional charge, or "upcharge," added to the minimum price of milk. The milk dealers proposed that the specified amounts and terms in the current regulations be replaced by an upcharge of 1/4¢ per unit of controlled product sold to a customer for each piece of leased equipment for as long as the equipment is in use, and 1¢ per unit of controlled product sold to a customer for each piece of equipment sold to a customer until the full value of the equipment has been paid. The first draft of this proposed rulemaking was written as a result of the discussion and comments at that public meeting and circulated among interested parties.

Following circulation of the first draft proposed rulemaking, the Board received correspondence from the Pennsylvania School Boards Association expressing concern that the proposed upcharge, since it was the same regardless of container size, would unfairly affect schools who purchase milk predominantly in 1/2 pint containers.

On April 12, 2006, a meeting of the interested parties was held to discuss the first draft of this proposed rulemaking. At this meeting, it was agreed among the parties present that the upcharge should be added on a per quart equivalent basis rather than per unit. Based upon the discussion and comments at that meeting, a final draft of the proposed rulemaking was circulated among the interested parties.

On May 16, 2006, the Board, after due notice, conducted a public hearing to receive comments on the proposed rulemaking. Representatives of the Pennsylvania Association of Milk Dealers, the Pennsylvania Food Merchants' Association and Rutter's Dairy were in attendance, in addition to Board staff. Both Board staff and the Pennsylvania Association of Milk Dealers spoke in favor of the proposed rulemaking and urged the Board to adopt them. Subsequent to the public hearing, correspondence was received from Giant Eagle, Inc., a grocery wholesaler also licensed as a milk dealer, requesting that the Board exempt grocery wholesalers who supply a complete line of groceries, including milk, to wholly-owned subsidiaries, franchisees, affiliates or nonaffiliated customers to the same extent that grocery wholesalers are exempted from the dealer loan prohibition elsewhere in Chapter 145. The final draft of the proposed rulemaking was changed to accommodate this request.

Fiscal Impact

The Board believes that adoption of this proposed rulemaking will have a positive fiscal impact on milk dealers since it will eliminate the requirement that sales and lease charges be billed separately from milk sales. The proposed rulemaking may have an additional positive impact on dealers to the extent that dealers were providing refrigeration equipment to customers without receiving adequate payment.

The proposed rulemaking will have a negative fiscal impact on retail stores only to the extent that they were being provided with refrigeration equipment without adequate charges in contravention of the existing regulations.

Paperwork Requirements

The proposed rulemaking will not require additional paperwork. If anything, paperwork requirements will be

reduced because the proposed rulemaking eliminates the requirements for separate billings for lease and rental charges.

Effective and Sunset Dates

The proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*. There is no sunset date.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 7, 2006, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees on Agriculture and Rural Affairs. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections concerning the proposed rulemaking to Chief Counsel, Milk Marketing Board, 2301 North Cameron Street, Harrisburg, PA 17110 within 30 days following publication in the *Pennsylvania Bulletin*.

BOYD E. WOLFF,
Chairperson

Fiscal Note: 47-12. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 7. AGRICULTURE

PART VI. MILK MARKETING BOARD

CHAPTER 145. (Reserved)

(Editor's Note: As part of this proposed rulemaking, the Board is proposing to delete the text of Chapter 145, which appears at 7 Pa. Code pages 145-1—145-9, serial pages (313305), (313306), (237857), (237858) and (313307) to (313311).)

§§ 145.1—145.11. (Reserved).

§§ 145.21—145.24. (Reserved).

§ 145.26. (Reserved).

(Editor's Note: The following chapter is new. It has been printed in regular type to enhance readability.)

CHAPTER 146. TRANSACTIONS BETWEEN DEALERS AND CUSTOMERS

REFRIGERATION EQUIPMENT

Sec.	
146.1.	Applicability.
146.2.	Gifts of refrigeration equipment.
146.3.	Leasing agreements.
146.4.	Sale of equipment.
146.5.	Exceptions for certain schools regarding refrigeration equipment.
146.6.	Maintenance of equipment.
146.7.	Identification of ownership of equipment.
146.8.	Unfair pricing.
146.9.	Financing.

DEALER INDUCEMENTS

- 146.21. Giveaways.
- 146.22. Sampling prospective retail customers and established retail customers.
- 146.23. Gifts to established retail customers.
- 146.24. Samples or gifts to wholesale customers.
- 146.25. Extension of credit to wholesale customers.

REFRIGERATION EQUIPMENT**§ 146.1. Applicability.**

(a) Dealers and subdealers purchasing refrigeration equipment directly for use by, or sale to, or lease or rental to their wholesale customers are governed by this chapter.

(b) Dealers and subdealers providing refrigeration equipment to their wholesale customers in conjunction with, or through, or in coordination with, a third party refrigeration equipment manufacturer or supplier are deemed to be supplying the refrigeration equipment directly and are governed by this chapter.

(c) A manufacturer or seller of refrigeration equipment may not sell, deliver, arrange for delivery, or in any way handle, as defined by the act, milk within this Commonwealth without a dealer or subdealer license.

(d) This chapter does not apply to transactions between grocery wholesalers and their subsidiaries, affiliates, franchisees or wholesale customers to the extent the transactions occur in the normal course of the grocery wholesaler's business and are only incidentally related to acquisition or retention of the fluid milk business of the subsidiary, affiliate, franchisee or wholesale customer.

§ 146.2. Gifts of refrigeration equipment.

(a) A dealer or subdealer may not give or lend refrigeration equipment or milk or cream dispensers of any type to customers for storing or dispensing milk or cream.

(b) Nothing in subsection (a) may be construed to prohibit a dealer or subdealer from selling or leasing any of the described equipment to a wholesale customer.

§ 146.3. Leasing agreements.

(a) Whenever a dealer or subdealer leases refrigeration equipment, or milk or cream dispensers or similar facilities to a wholesale customer, the lease agreement must be reduced to writing and provide for a payment of at least the minimum price established by the Board plus an additional charge of at least \$0.0025 per quart equivalent for every unit of controlled products sold to that wholesale customer at the site at which the equipment is used.

(b) The agreement must contain a complete description of the equipment with respect to type, style, model and serial number, manufacturer and year of manufacture.

§ 146.4. Sale of equipment.

(a) Whenever refrigeration equipment, or milk or cream dispensers, or similar facilities are sold to stores or other wholesale customers, the agreement of sale must be reduced to writing and contain the following:

(1) A complete description of the equipment with respect to type, style, model and serial number, manufacturer and year of manufacture.

(2) An itemized record of the actual cost or value of the equipment to the dealer at the time it was placed at the customer's location, handling, installation, freight, tax if applicable and interest.

(3) A provision that title to the refrigeration equipment, or milk or cream dispensers, or similar facilities does not pass until the last payment has been made under the agreement.

(b) Equipment may be purchased outright by payment in full at or before the time of installation or by payment of an additional charge per quart equivalent purchased until the full purchase price has been made. If payment is to be made by means of an additional charge per quart equivalent, each agreement must provide for a payment of at least the minimum price posted by the Board plus an additional charge of at least \$0.01 per quart equivalent for every unit of controlled products sold to that wholesale customer at the site at which the equipment is used. When the cumulative sum of the additional charges is equal to the itemized cost or value established in subsection (a)(2), the dealer may eliminate the additional charge. At that time, ownership of the equipment may be transferred to the customer.

(c) Used equipment may be sold to a wholesale customer at a price determined by adjusting its original cost to the dealer for annual straight line depreciation at a rate of 8-1/3% per annum plus all ancillary costs.

(d) A dealer or subdealer selling equipment pursuant to an agreement providing for payment by means of an additional charge per unit shall maintain the following for review by the Board:

(1) A complete list of all wholesale customers purchasing equipment pursuant to this provision, showing the location of each piece of equipment and the date the equipment was placed at that location;

(2) A record of the number of quart equivalents of price-controlled packaged products sold to each customer in this program along with the cumulative sum of the additional charges since the equipment was placed at the customer's location.

§ 146.5. Exceptions for certain schools regarding refrigeration equipment.

Dealers or subdealers installing refrigeration equipment, including milk vending machines, dispensers and milkshake dispensers in schools which are approved for the school milk program and which are eligible for reimbursement, in whole or in part, for the amortization of the equipment need not execute and submit to the Board a formal lease or contract of sale if the dealer submits to the Board a sworn statement setting forth the type, style, model and serial number, manufacturer, year of manufacture, cost of the equipment to the dealer plus handling, installation, tax and freight charges, and date of installation, together with the method of amortization.

§ 146.6. Maintenance of equipment.

(a) Maintenance of equipment when it is leased to the customer may be the responsibility of the lessor. When maintenance is performed by the lessee, no charge may be made to the lessor dealer for maintenance.

(b) Maintenance of equipment, whenever it is sold either by lump sum payment or on a time payment sales basis, shall be the responsibility of the purchaser.

§ 146.7. Identification of ownership of equipment.

Dealers or subdealers leasing equipment to customers shall identify the equipment as the property of the dealer by painting, decal or metal plate affixed to the equipment. Identification shall be placed on all equipment in place within 30 days after _____ (*Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.*). New identifications shall be so

identified not later than 15 days after installation. Dealers or subdealers shall replace mutilated or missing identification within 15 days after either observing the requirement or being notified by the Board of the requirement.

§ 146.8. Unfair pricing.

(a) Sale of equipment by a dealer or subdealer to a wholesale customer at a price less than the brand or retail list price or fair market value of the equipment where there is no list price, is prohibited.

(b) When purchasing any equipment or property from a wholesale customer or prospective wholesale customer, a dealer or subdealer may not pay the customer a price in excess of the fair market value of the equipment or property at the time for the transfer to the milk dealer.

§ 146.9. Financing.

Milk dealers and their affiliates, subsidiaries or representatives thereof may not provide financial accommodations for a wholesale customer by lending money to the customer, or by paying or guaranteeing the payment of any obligation of the customer, or by acting as a cosigner on a promissory note or other obligation of the customer, or by depositing money or collateral with a third party, person or organization which will lend money or extend credit to the customer. This section does not apply to transactions between grocery wholesalers and their subsidiaries, affiliates, franchisees or wholesale customers to the extent the transactions occur in the normal course of the grocery wholesaler's business and are only incidentally related to acquisition or retention of the fluid milk business of the subsidiary, affiliate, franchisee or wholesale customer.

DEALER INDUCEMENTS

§ 146.21. Giveaways.

Milk dealers and their affiliates, subsidiaries or representatives thereof may not give or lend any milk, milk products, money, article, prize, award or any other item to a customer or a prospective customer, as an inducement for the purpose of soliciting or securing business. This section does not apply to transactions between grocery wholesalers and their subsidiaries, affiliates, franchisees or wholesale customers to the extent the transactions occur in the normal course of the grocery wholesaler's business and are only incidentally related to acquisition or retention of the fluid milk business of the subsidiary, affiliate, franchisee or wholesale customer.

§ 146.22. Sampling prospective retail customers and established retail customers.

The practice of providing free samples to prospective retail customers or to established retail customers may not be permitted. This section does not apply to on-the-premises consumption in stores or restaurants.

§ 146.23. Gifts to established retail customers.

(a) Dealers may distribute to any of their established retail customers, but not to prospective retail customers, free of charge, in any one calendar year, any gift including milk, milk products, or other item, if the cost to the dealer of the gift does not exceed the sum of 60¢.

(1) Dealers may provide utilitarian gifts to any of their established retail customers who have purchased milk for at least 60 days prior to the birth of a child.

(2) The cost to the dealer of the gift may not exceed \$2.

(3) The gift must have particular and exclusive relationship to the care of newborn children.

(4) A dealer is limited to one such gift for each child.

(b) The word "gift" may not be construed to prohibit a dealer from lending a porch box to an established retail customer provided the box is imprinted with the name of the dealer and the unit cost to the dealer does not exceed \$5.

§ 146.24. Samples or gifts to wholesale customers.

(a) Samples of a product may not be given to a wholesale customer or prospective wholesale customer by or on behalf of a milk dealer.

(b) Gifts of any value may not be given by a dealer to a wholesale customer or to a purchasing agent, contracting officer or other person or organization whose position, rank or other means of influence, enables him to select or to influence the selection of milk vendors.

§ 146.25. Extension of credit to wholesale customers.

(a) Extension of credit to a wholesale customer, excluding a hospital, school or government agency, beyond 30 days from the date of invoice is prohibited.

(1) The invoice from dealers to customers must be rendered at least monthly.

(2) If a customer fails to pay an invoice within 30 days, the dealer shall place that customer on a cash basis.

(b) For the purpose of this section, cash payment basis may, at the option of the dealer, be interpreted to mean weekly payments for the delivery of the past weeks plus at least 4% of the past due account to be received by the dealer, on a regular and continuing weekly basis until the customer has reduced the past due balance below the maximum 30-day credit limitation. A dealer who has placed a customer on a cash payment basis under this section may, with approval of the Board, require the customer to execute a promissory note in favor of the dealer, or to grant the dealer a lien on assets of the customer, or to otherwise secure payment of the past due balance to the dealer. The dealer shall immediately notify the Board of the full details of an action taken to secure the payment of a past due balance under this section.

(c) This section does not apply to transactions between grocery wholesalers and their subsidiaries, affiliates, franchisees or wholesale customers to the extent the transactions occur in the normal course of the grocery wholesaler's business and are only incidentally related to acquisition or retention of the fluid milk business of the subsidiary, affiliate, franchisee or wholesale customer.

CHAPTER 147. RECORDS AND REPORTS

§ 147.12. Contracts for sale or lease of refrigeration equipment.

Whenever a dealer or subdealer which is subject to § 146.1 (relating to applicability) sells or leases refrigeration equipment, milk or cream dispensers or similar facilities to a customer, the [contract] agreement of sale or lease shall be submitted to the Board [for approval] on or before the date of installation of [such] the equipment.

[Pa.B. Doc. No. 06-1865. Filed for public inspection September 22, 2006, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice of the guidelines and conditions under which it will award up to \$500,000 in grants under the 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 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)).

A proposed version of these guidelines and conditions was published at 36 Pa.B. 3283 (July 1, 2006). The Department invited public and legislative review of these proposed guidelines and conditions in accordance with 7 Pa. Code § 23.4 (relating to guidelines and conditions).

The Department received one comment on the proposed guidelines and conditions. One commentator suggested that the eligibility criteria be based on factors other than the operating budget of the facility, including the number of animals handled. While the Department declines to implement this suggestion, it will reconsider its eligibility guidelines for subsequent years.

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 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 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; and
- Purchases of medication, needles, etc. . . .

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; and
- 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 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 the Department's State 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 the Department's 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 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 stray or unwanted dogs it accepts from the Department's State 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. 06-1866. Filed for public inspection September 22, 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 September 12, 2006.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
9-8-06	Allegheny Valley Bancorp, Inc., Pittsburgh, to acquire 100% of RSV Bancorp, Inc., Pittsburgh	Pittsburgh	Effective

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-6-06	Mid Penn Bank Millersburg Dauphin County Purchase of assets/assumption of liabilities of two branch offices of Omega Bank, State College Located at: 51 South Front Street Steelton Dauphin County 1100 Spring Garden Drive Middletown Dauphin County	Millersburg	Filed
9-7-06	First Columbia Bank & Trust Co. Bloomsburg Columbia County Purchase of assets/assumption of liabilities of two branch offices of Keystone Nazareth Bank & Trust Company, Bethlehem Located at: 17 East Main Street Bloomsburg Columbia County 2691 Columbia Boulevard Bloomsburg Columbia County	Bloomsburg	Filed

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-8-06	The Juniata Valley Bank Mifflintown Juniata County Purchase of assets/assumption of liabilities of one branch office of Mifflinburg Bank and Trust Company Located at: Main Street Richfield Juniata County	Mifflintown	Effective
9-8-06	Allegheny Valley Bank of Pittsburgh, Pittsburgh, and Mt. Troy Bank, Pittsburgh Surviving Institution— Allegheny Valley Bank of Pittsburgh, Pittsburgh <i>Branch Acquired by means of Merger:</i> 2000 Mt. Troy Road Pittsburgh Allegheny County	Pittsburgh	Effective

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-30-06	Integrity Bank Camp Hill Cumberland County	6085 Allentown Boulevard Harrisburg Lower Paxton Township Dauphin County	Opened
9-6-06	Royal Asian Bank Philadelphia Philadelphia County	232 Broad Avenue Palisades Park Bergen County, NJ	Filed
9-7-06	Embassy Bank for the Lehigh Valley Bethlehem Northampton County	925 West Broad Street Bethlehem Lehigh County	Opened
9-8-06	CommunityBanks Millersburg Dauphin County	179 Eisenhower Drive Hanover York County	Filed
9-8-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia	400 Adam Shoppes Mars Butler County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

VICTORIA A. REIDER,
Acting Secretary

[Pa.B. Doc. No. 06-1867. Filed for public inspection September 22, 2006, 9:00 a.m.]

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

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of October 2006 is 7 1/2%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.04 to which was added 2.50 percentage points for a total of 7.54 that by law is rounded off to the nearest quarter at 7 1/2%.

VICTORIA A. REIDER,
Acting Secretary

[Pa.B. Doc. No. 06-1868. Filed for public inspection September 22, 2006, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0060887	Mugg's Country Kitchen & Sandy Beach Hotel Box 150 Hawley, PA 18428	Palmyra Township Pike County	UNT to Decker Mill Pond (1B)	Y
PA0020745	Nescopeck Borough 501 Raber Avenue Nescopeck, PA 18635-1102	Nescopeck Township Luzerne County	Nescopeck Creek (5D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0087530 (SEW)	Paul McNulty 3651 Waggoners Gap Road Carlisle, PA 17015	Cumberland County North Middletown Township	UNT to Conodoguinet Creek 7-B	Y
PA0246476 (SEW)	Sonshine Ministries 1543 Ft. Robinson Road Loysville, PA 17047	Perry County Northeast Madison Township	Bixler Run 7-A	Y
PA0034886 (IW)	Small Tube Products Co., Inc. P. O. Box 1674 Altoona, PA 16603-1674	Blair County Allegheny Township	Beaverdam Branch 11-A	Y
PA0088960 (IW)	West St. Clair Township Pleasantville Borough P. O. Box 43 Alum Bank, PA 15521-0043	Bedford County West St. Clair Township Pleasantville Borough	Dunning Creek 11-C	Y
PA0021806 (SEW)	Township of Annville P. O. Box 320 Annville, PA 17003	Lebanon County Annville Township	Quittapahilla Creek 7-D	Y
PA0080209 (SEW)	Hoffman Homes, Inc. 815 Orphanage Road Littleton, PA 17340	Adams County Cumberland Township	Lousey Run 13-D	Y
PA0052400 (SEW)	Irish Creek Village 552 Irish Creek Road Mohrsville, PA 19541	Berks County Centre Township	Irish Creek 3-B	Y
PA0086151 (SEW)	Harmony Estates MHP 110 Inverness Drive Blue Bell, PA 19422	Cumberland County North Middleton Township	UNT Conodoguinet Creek 7-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0100056	Rose Point Park Campground 314 Rose Point Road New Castle, PA 16101-9310	Slippery Rock Township Lawrence County	UNT to Slippery Rock Creek 20-C	Y
PA0222674	McKean Township Sewer Authority P. O. Box 88 McKean, PA 16426	McKean Township Erie County	Elk Creek 15-EC	Y
PA0025607	Barkeyville Sewerage Company P. O. Box 1128 Oil City, PA 16301	Barkeyville Borough Venango County	UNT to North Branch Slippery Rock Creek 20-C	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.

PA0056944, Industrial Waste, SIC 4613, Sunoco Pipeline, LP, 4041 Market Street, Aston, PA 19014. This proposed facility is located in Upper Chichester Township, **Delaware County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit to discharge stormwater from an existing petroleum products pipeline pump station in Upper Chichester Township, Delaware County, this is an existing discharge to UNT to Marcus Hook Creek.

The receiving stream to the UNT to Marcus Hook Creek is in the State Water Plan Watershed 3G-Ridley and is classified for WWF. There are no down stream public water supply intakes.

The proposed effluent limits for Outfall 001 are based on a stormwater flow and are as follows:

Parameters	Effluent Concentration (mg/l)		
	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Recoverable Petroleum Hydrocarbons		Monitor and Report	Monitor and Report
Oil and Grease	15	30	30

In addition to the effluent limits, the permit contains the following major special conditions: 1) Stormwater Requirements; and 2) Product Contaminated Stormwater Runoff.

The EPA waiver is in effect.

NPDES PA0010961, Industrial Waste, SIC 3452, SPS Technologies, LLC, 301 Highland Avenue, Jenkintown, PA 19046. This proposed facility is located in Abington Township, **Montgomery County**.

Description of Proposed Activity: The application is for renewal of an NPDES permit to discharge stormwater and treated groundwater from a metal fastener manufacturing facility in Abington Township, Montgomery County. This is an existing discharge to Baeder and Tacony Creeks.

The receiving streams, Baeder (Outfall 002) and Tacony Creeks (Outfalls 004—009), are in the State Water Plan Watershed 3J-Pennypack and is classified for WWF. There is no downstream public water supply intake on these creeks.

The proposed effluent limits for Outfalls 002 and 005—009 are based on stormwater event and are as follows:

Parameters	Effluent Limitations Concentration (mg/l)		
	Average Monthly	Maximum Daily	Instantaneous Maximum
C-Biochemical Oxygen Demand (5-day)		Monitor and Report	
Chemical Oxygen Demand		Monitor and Report	
Oil and Grease		Monitor and Report	
pH (Standard Units)		Monitor and Report	
Total Suspended Solids		Monitor and Report	
Iron, Total		Monitor and Report	
Zinc, Total		Monitor and Report	
Aluminum, Total		Monitor and Report	
Copper, Total		Monitor and Report	
Chromium, Total		Monitor and Report	
Lead, Total		Monitor and Report	

The proposed effluent limits for Outfall 004 are based on 0.086 mgd treated groundwater and stormwater discharges are as follows:

Parameters	Effluent Limitations Concentration (mg/l)		
	Average Monthly	Maximum Daily	Instantaneous Maximum
Trichloroethylene	0.013	0.020	0.032
1,2-Dichloroethane	0.007	0.011	0.017
Oil and Grease	15		30
pH (STD Units)	Within limits of 6.0 to 9.0 STD Units at all times.		
CBOD ₅ *		Monitor and Report	
Chemical Oxygen Demand*		Monitor and Report	
Oil and Grease*		Monitor and Report	
pH (Standard Units)*		Monitor and Report	
Total Suspended Solids*		Monitor and Report	
Iron, Total*		Monitor and Report	
Zinc, Total*		Monitor and Report	
Aluminum, Total*		Monitor and Report	
Copper, Total*		Monitor and Report	
Chromium, Total*		Monitor and Report	
Lead, Total*		Monitor and Report	

*Sample shall be taken during stormwater discharges.

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

The EPA waiver is in effect.

PA0043818 Amendment 1, Industrial Waste, G.R.O.W.S. Landfill—A Division of Waste Management Disposal Services of Pennsylvania, Inc., 1513 Bordentown Road, Morrisville, PA 19067. This proposed facility is located in Falls Township, **Bucks County**.

Description of Proposed Activity: The permit amendment is to revise effluent limitations for Boron, Chromium and Total Dissolved Solids based on site specific Best Available Technology economically achievable.

The receiving stream, Delaware Estuary Zone 2, is in the State Water Plan watershed 2E and is classified for WWF and MF. The nearest downstream public water supply intake for USX steel company which is approximately 1/2 mile upstream of the tidal portion of the discharge.

The proposed revised effluent limits for Outfall 001 are based on a design flow of 0.1 mgd for the following parameters are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Dissolved solids	12,510	16,680	15,000	20,000	25,000
Chromium, Total	0.084	0.084	0.100	0.100	0.125
Boron (Influent)	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report
Boron (Effluent)	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report
Boron (percent Removal)	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report

Effluent limitations of all other parameters are remained unchanged.

PA0244171, Industrial Waste, Lower Merion Township, 75 East Lancaster Avenue, Ardmore, PA 19003-2376. This proposed facility is located in Lower Merion Township, **Montgomery County**.

Description of Proposed Activity: Lower Merion Township proposes to construct a passive treatment system designed to treat a groundwater seep from a former township landfill. The facility will be located along Centennial Road and Glanraffan Creek. This permit application addresses Lower Merion Township's requirement to implement the Glanraffan Creek TMDL issued by the United States Environmental Protection Agency on December 3, 2003.

The receiving stream, Glanraffan Creek, is in the State Water Plan Watershed 3F and is classified for: WWF, MF. The nearest downstream public water supply intake is located on the Schuylkill River.

The proposed effluent limits for Outfall 001 are based on a design flow of treated groundwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum mg/l</i>
Iron, total			1.5	3.0	7.7
Manganese, total			2.0	4.0	5.0
Total Suspended Solids			35	70	90
PH	Between 6.0 and 9.0 standard units at all times				
Alkalinity	Greater than acidity at all times				

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

1. Obtain Property Rights
2. Sludge Disposal
3. Change of Ownership
4. Submit Additional Data
5. No Discharge DMR Reporting
6. 2/Month Sampling
7. Laboratory Certification

PA0056481, Sewage, Oak Grove Country Inn STP, 6755 Easton Road, Pipersville, PA 18947. This existing facility is located in Bedminster Township, **Bucks County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage effluent from a small flow treatment facility serving a residence and motel.

The receiving stream, a dry swale that drains to a UNT to Cabin Run, is in the State Water Plan Watershed 2D and is classified for CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for North Penn/North Wales Water Authority is located on the Delaware River and is approximately 7.1 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0016 mgd.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum (mg/l)
CBOD ₅					
(5-1 to 10-31)			10		20
(11-1 to 4-30)			20		40
Total Suspended Solids			10		20
NH ₃ -N					
(5-1 to 10-31)			3.0		6.0
(11-1 to 4-30)			9.0		18.0
Fecal Coliform (col/100 ml)			200		1,000
Dissolved Oxygen			3.0, Instantaneous Minimum		
pH (STD Units)			6.0, Instantaneous Minimum		9.0
Total Residual Chlorine			Monitor		Monitor

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

1. Abandon STP when Public Sewers Available
2. Remedial Measures if Public Nuisance
3. No Stormwater to Sewers
4. Necessary Property Rights
5. Dry Swale Discharge
6. Change in Ownership
7. Chlorine Minimization
8. Proper Sludge Disposal
9. Instantaneous Maximum Limitations

NPDES Permit No. PA0056413, Sewage, SIC 4952, **Lower Salford Township Authority Mainland Sewage Treatment Plant**, 57 Main Street, Mainland, PA 19451 in Lower Salford Township, **Montgomery County**, PA.

Description of Activity: Renewal of Sewage Treatment Plant's NPDES Permit to discharge effluent to Skippack Creek.

The receiving water, Skippack 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 12 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an approved annual average flow of 0.90 mgd.

Parameters	Average Monthly (mg/l)	Average Weekly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅				
(5-1 to 10-31)	10.0	15		20
(11-1 to 4-30)	20.0	30		40
Total Suspended Solids	20.0	30.0		40
Ammonia as N				
(5-1 to 10-31)	1.4			2.8
(11-1 to 4-30)	4.2			8.4
Phosphorus as P	0.32			0.64
Fecal Coliform*				Monitor and Report
Dissolved Oxygen	200 #/100 ml			
Lead, Total	5.0 (Min.)			
Copper, Total	Monitor and Report			
pH (STD Units)	6.0 (Min.)			9.0 (Max.)

*Ultra-Violet Disinfection.

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

1. Conduct in-stream monitoring for copper, lead and hardness.
2. Proper sludge disposal.

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

PA0060526, Industrial, **Pennsylvania-American Water Company**, 100 Pennsylvania Avenue, Wilkes-Barre, PA 18701. This proposed facility is located in Forest City Borough, **Susquehanna County**.

Description of Proposed Activity: Renewal of Industrial Waste NPDES Permit.

The receiving stream, Lackawanna River, is in the State Water Plan Watershed No. 5A and is classified for HQ-CWF. The nearest downstream public water supply intake for Danville Water Company is located on Susquehanna River is over 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.086 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>
Total Suspended Solids			30.0	60.0
Total Aluminum			1.28	2.56
Total Iron			2.0	4.0
Total Manganese			1.0	2.0
Total Residual Chlorine			0.5	1.2
pH			6 to 9 Standard Units	

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

PA0008541, Industrial Waste. **York International Corporation**, P. O. Box 1592-082K, York, PA 17405. This proposed facility is located in Spring Garden Township, **York County**.

Description of Proposed Activity: discharge of noncontact cooling water and stormwater.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is Wrightsville Water Supply Company and Susquehanna River located approximately 19.6 miles below point of discharge.

The receiving stream, Codorus Creek, is in watershed 7-H and classified for: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 003 based on a design flow of n/a mgd.

The proposed effluent limits for Outfall 005 based on a design flow of n/a mgd.

The proposed effluent limits for Outfall 006 based on a design flow of n/a mgd.

The proposed effluent limits for Outfall 008 based on a design flow of n/a mgd.

The proposed effluent limits for Outfall 011 based on a design flow of n/a mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH			6.0 to 9.0 standard units at all times		
Temperature				XX	
Oil and Grease				XX	
Total Suspended Solids				XX	
Total Chromium				XX	
Total Copper				XX	
Total Zinc				XX	
Total Aluminum				XX	

The proposed effluent limits for Outfall 002 based on a design flow of n/a mgd.

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

The proposed effluent limits for Outfall 007 based on a design flow of n/a mgd.

The proposed effluent limits for Outfall 008 based on a design flow of n/a mgd.

The proposed effluent limits for Outfall 009 based on a design flow of n/a mgd.

The proposed effluent limits for Outfall 010 based on a design flow of n/a mgd.

The proposed effluent limits for Outfall 012 based on a design flow of n/a mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH			6.0 to 9.0 standard units at all times		
Oil and Grease				XX	
Total Suspended Solids				XX	
Total Chromium				XX	
Total Copper				XX	
Total Zinc				XX	
Total Aluminum				XX	

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

PA0044628, Industrial Waste. **York Haven Power Company**, Locust Street and Hydro Park Drive, York Haven, PA 17370. This proposed facility is located in York Haven Borough, **York County**.

Description of Proposed Activity: renewal of an NPDES permit for an existing discharge of noncontact cooling water.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is Wrightsville Water supply Company and the Susquehanna River located approximately 13 miles below point of discharge.

The receiving stream, Susquehanna River, is in Watershed 7-G and classified for WWFs, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.23 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		*** No net increase	
Oil and Grease		*** No net increase	
Temperature		*** No net increase	
Dissolved Oxygen		*** No net increase	
pH	6.0 to 9.0 standard units at all times		

XX—Monitor and report on monthly DMRs.

*** No net increase or decrease refers to the difference between the intake and discharge sample values for that parameter.

The EPA waiver is in effect.

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

PA0000370, Industrial Waste, SIC, 4941, **Latrobe Municipal Authority**, P. O. Box 88, Latrobe, PA 15650. This application is for renewal of an NPDES permit to discharge treated process water from the Kingston Filtration Plant in Derry Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Loyalhanna Creek, 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 Saltsburg Municipal Water Works, located at Saltsburg, PA, over 29 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.382 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	Monitor and Report				
Total Suspended Solids			30		60
Iron (Total)			2.0		4.0
Aluminum			0.5		1.0
Manganese			1.0		2.0
Total Residual Chlorine			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: Residual waste, no floating solids, chemical additives, submission of data, 3 years compliance period for TRC, sampling requirement for basin drainage.

The EPA waiver is in effect.

PA0040274-A2, Industrial Waste, SIC, 3316, **Allegheny Ludlum Corporation**, 100 Brackenridge, PA 15014. This application is for amendment of an NPDES permit to discharge treated process water from Vandergrift Plant in Vandergrift Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, of the Kiskiminetas River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority, located on Allegheny River, 9.0 miles below the discharge point.

Internal Monitoring Point 207: existing (0.57 mgd) discharge to Kiskiminetas River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Total Suspended Solids	365.94	852.98	30	70	87.5
Oil and Grease			15		30
Chromium	4.8	11.9	0.4	1.0	1.25
Nickel	3.6	10.7	0.3	0.9	1.13
Total Residual Chlorine			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is not in effect.

PA0111279, Industrial Waste, SIC 4941, Hooversville Borough Municipal Authority—Hooversville Water Treatment Plant, Main Street Box 176, Hooversville, PA 15936. This application is for renewal of an NPDES permit to discharge treated process water, untreated stormwater and underdrain (groundwater) water from the Hooversville Water Treatment Plant in Quemahoning Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, UNT to West Branch of Stony Creek, 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 the Saltsburg Municipal Water Works, located at Conemaugh River, over 40 miles below the discharge point.

Outfalls 001: existing discharge, design flow of 0.0042 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30		60
Iron (total)			2.0		4.0
Aluminum			4.0		8.0
Manganese			1.0		2.0
Total Residual Chlorine			0.5		1.0
pH (Standard Units)	not less than 6.0 nor greater than 9.0				

Other Conditions: Residual Solids Control, floating solids control, chemical additive requirements, Total Residual Chlorine conditions, effluent concentration conditions and requirement to sample Outfall 002.

Outfalls 002: existing discharge, intermittent flow.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist of uncontaminated groundwater only.					

The EPA waiver is in effect.

PA0025950-A2, Sewage, Municipal Authority of the City of Monongahela, 521 West Main Street, Monongahela, PA 15063. This application is for amendment of an NPDES permit to discharge treated sewage from the City of Monongahela STP in Monongahela, **Washington County**.

Part C, Condition No. 11 entitled Acute Whole Effluent Toxicity Monitoring Condition, starting on Page 14g of 14 is hereby deleted from the permit. The monitoring requirements outlined in that condition are no longer applicable.

PA0042749, Sewage, Jenner Area Joint Sewer Authority, P. O. Box 202, Jennerstown PA 15547. This application is for renewal of an NPDES permit to discharge treated sewage from Jenner Area Joint Sewer Authority Wastewater Treatment Plant in Boswell Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Quemahoning Creek, 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 Cambria Somerset Authority (Quemahoning Reservoir).

Outfall 001: existing discharge, design flow of 0.8 mgd.

Parameter	Concentration (mg/l)		
	Average Monthly	Average Weekly	Instantaneous Maximum
CBOD ₅	25	38	50
Suspended Solids	30	45	60

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen (5-1 to 10-31)	8.0	12.0		16.0
(11-1 to 4-30)	24.0	36.0		48.0
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			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0253367, Sewage, **Christian Youth Crusade**, 293 Rich Road, Somerset, PA 15501. This application is for issuance of an NPDES permit to discharge treated sewage from Teen Quest Ranch in Milford and Somerset Townships, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT to Middle 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 Ohiopyle Borough Municipal Waterworks.

Outfall 001: new discharge, design flow of 0.01 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.5			7.0
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 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0210617, Sewage, **Evergreen Mobile Home Park**, R. D. 1, Mathews Road, Edinburg, PA 16116, University Parkway No. 79, Sarasota, FL 34243. This facility is located in Mahoning Township, **Lawrence County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Western PA Water Company intake located on the Shenango River at New Castle and is approximately 5 miles below point of discharge.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00252 mgd.

Interim Limits

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX		
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N (5-1 to 10-31)	XX		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	1.4		3.3
Dissolved Oxygen		minimum of 3 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

Final Limits

<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 (mgd)	XX		
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N (5-1 to 10-31)	24		48
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4		3.3
Dissolved Oxygen		minimum of 3 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

PA0028398, Sewage. **Fairview Sanitation Company**, P. O. Box 927, Fairview, PA 16415-0927. This proposed facility is located in Fairview Township, **Erie County**.

Description of Proposed Activity: a new permit for an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, there is no downstream potable water supply affected by this discharge.

The receiving stream, a UNT to Trout Run, is in Watershed 15-TR and classified for CWF, MF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.070 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 (mgd)	XX		
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N (5-1 to 10-31)	14		28
Phosphorus as "P"	1.0		
Dissolved Oxygen		minimum of 3.0 mg/l at all times	
Total Residual Chlorine	1.4		3.3
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 2,000/100 ml 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.

PA0221961, Sewage. **Timberlee Valley Sanitary Company, Inc., Timberlee Farms STP**, 120 Brennan Lane, Evans City, PA 16033. This proposed facility is located in Connoquenessing Township, **Crawford County**.

Description of Proposed Activity: New/Expansion of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Harmony Borough Water Authority is located on the Little Connoquenessing Creek and is approximately 6 miles below point of discharge.

The receiving stream, Crab Run, is in Watershed 20-C and classified for CWF, aquatic life, water supply and recreation.

Interim Limits

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03 mgd.

Parameters	Loadings		Concentrations		Instantaneous Maximum (mg/l)
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	
Flow (mgd)	XX				
CBOD ₅			25		50
Total Suspended Solids			30		60
NH ₃ -N (5-1 to 10-31)			13		26
Fecal Coliform * (5-1 to 9-30)		200/100 ml as a geometric average			
(10-1 to 4-30)		2,000/100 ml as a geometric average			
Phosphorus as "P"			2		4
pH		6.0 to 9.0 standard units at all times			

Final Limits

The proposed effluent limits for Outfall 001 are based on a design flow of 0.121 mgd.

Parameters	Loadings		Concentrations		Instantaneous Maximum (mg/l)
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	
Flow (mgd)	XX				
CBOD ₅	25.2		25		50
Total Suspended Solids	30.3		30		60
NH ₃ -N (5-1 to 10-31)	5		5		10
(11-1 to 4-30)	15.1		15		30
Fecal Coliform * (5-1 to 9-30)		200/100 ml as a geometric average			
(10-1 to 4-30)		2,000/100 ml as a geometric average			
Phosphorus as "P"	2		2		4
UV Light Intensity			XX		
pH		6.0 to 9.0 standard units at all times			

XX—Monitor and report on monthly DMRs.

*—Average monthly limits expressed as a geometric mean.

The EPA waiver is in effect.

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

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

WQM Permit No. 3506401, Sewerage, **Moscow Sewer Authority**, P. O. Box 525, 309 Market Street, Moscow, PA, 18444-0525. This proposed facility is located in Moscow Borough, **Lackawanna County**, PA.

Description of Proposed Action/Activity: This project consists of modifications and expansion of Moscow Sewer Authority's wastewater treatment facility. It involves an increase in capacity to 0.300 mgd and includes installation of a new pump station along with an equalization tank and third oxidation ditch and additional clarifier.

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

WQM Permit No. WQG01280602, Sewerage, **Samuel and Beck Mull**, 5159 Molly Pitcher Highway, Chambersburg, PA 17201. This proposed facility is located in Guilford Township, **Franklin County**.

Description of Proposed Action/Activity: Application for the construction/operation of a single family small flow treatment facility.

WQM Permit No. 0506405, Sewerage, **Brian Nicodemus**, 6141 Cortland Road, Alum Bank, PA 15521. This proposed facility is located in West St. Clair Township, **Bedford County**.

Description of Proposed Action/Activity: Application for the construction/operation of a single family small flow sewage treatment facility to serve their residence on SR 96.

WQM Permit No. 2806406, Sewerage, **Ray E. and Rubie J. 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 single family small flow irrigation treatment system for Lot No. 16 Grand Point Road.

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

WQM Permit No. 0406201, Industrial Waste, **Ashland, Inc.**, 501 Railroad Street, Rochester, PA 15074. This proposed facility is located in Freedom and Rochester Boroughs, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of an oil/water separator.

WQM Permit No. 2606404, Sewerage, **Belle Vernon Municipal Authority**, P. O. Box 181, 10 Main Street, Belle Vernon, PA 15012. This proposed facility is located in Belle Vernon Borough, **Fayette County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewage treatment plant upgrade.

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011506064	Michael Desfor 3049 Merlin Road Chester Springs, PA 19425	Chester	Charlestown Township	Pigeon Creek (HQ-TSF)
PAI011506065	Gary and Kathy Ott 1833 Popular Hill Drive Chester Springs, PA 19425	Chester	East Nantmeal Township	UNT Beaver Run (EV)
PAI011506066	North Coventry Township 845 South Hanover Street Pottstown, PA 19465	Chester	North Coventry Township	UNT Schuylkill River (HQ-TSF)
PAI011506067	Pruss Hill Partnership, LLP P. O. Box 587 Royersford, PA 19468	Chester	North Coventry Township	Pigeon Creek (HQ-TSF)
PAI011506068	Malvern Hill Associates, LP 2701 Renaissance Blvd. 4th Floor King of Prussia, PA 19406	Chester	East Whiteland Township	Little Valley Creek (EV)
PAI012306007	Spasato-Rayer Builders, Inc. 114 Black Bass Lane West Media, PA 19063	Delaware	Upper Providence Township	Ridley Creek (HQ-TSF)

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

Susquehanna County Conservation District: County Office Bldg., 31 Public Ave., Montrose, PA 18801, (570) 278-4600.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025804001	Dunn Lake, LLC 103 Indian Springs Rd. Kennett Square, PA 19348	Susquehanna	Ararat Township	East Branch Lackawanna River 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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023906025	Kay Builders Rick Koze 5930 Hamilton Blvd., Suite 10 Wescosville, PA 18106	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806021	Smith Brothers Dev., LLC 353 Swan Way Langhorne, PA 18045	Northampton	Lower Saucon Township	Cooks Creek EV
PAI024806022	Mohammed Hussein 9 Morningside Dr. Easton, PA 18045	Northampton	Bethlehem Township	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024506024	Bruce George R. R. 2, Box 331 Kunkletown, PA 18058	Monroe	Hamilton Township	McMichaels Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041406017	Centre County PAWS, Inc. Linette Courtney 1042 Benner Pike State College, PA 16801	Centre	College Township	Spring Creek HQ-CWF

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041806005	Pilot Corporation 5508 Lonas Road P. O. Box 10146 Knoxville, TN 37939-0146	Clinton	Porter Township	Fishing Creek HQ

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published

in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 1106503, Public Water Supply.
 Applicant **Greater Johnstown Water Authority**
 640 Franklin Street
 P. O. Box 1407
 Johnstown, PA 15907

Township or Borough Conemaugh Township
 Responsible Official Edward J. Cernic, Sr.,
 Chairperson
 Greater Johnstown Water Authority
 640 Franklin Street
 P. O. Box 1407
 Johnstown, PA 15907

Type of Facility Water treatment plant
 Consulting Engineer Gibson-Thomas Engineering Co.
 Inc.
 1004 Ligonier Street
 P. O. Box 853
 Latrobe PA 15650

Application Received August 17, 2006
 Date

Description of Action Replace the existing 6" line with
 8" line near Bens Run; rebuild
 Govier Lane pump station and
 extend waterline up to the new
 Keafer Hill water storage tank.
 This project will also tie into the
 Conemaugh Township Municipal
 Authority's 8" line along Soap
 Hollow Road in Conemaugh
 Township, Somerset County.

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

Application No. 6106502, Public Water Supply
 Applicant **Bucholz Mobile Home Park**
 Township or Borough Frenchcreek Township
Venango County

Responsible Official Jacqueline Bucholz, Owner
 Consulting Engineer Joseph P. Pacchioni, P. E.
 HRG Engineering, Inc.
 3755 East State Street
 Hermitage PA 16148

Application Received 09/05/2006
 Date

Description of Action Permitting of previously
 unpermitted water system with
 service to the Bucholz Mobile
 Home Park. Action will include
 permitting an existing
 groundwater well (Well No. 4)
 and installation of treatment for
 disinfection; iron and manganese
 removal; pH adjustment,
 filtration, storage and flow
 monitoring into existing
 distribution system.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. Minor Amendment, Public Water
 Supply.
 Applicant **Aqua Pennsylvania, Inc.**
 Barrett Township
Monroe County

Responsible Official Roswell McMullen
 Aqua Pennsylvania, Inc.
 Palmyra Professional Building
 HCR 6, Box 6040
 Hawley, PA 18428

Type of Facility PWS
 Consulting Engineer Douglas Berg, P. E.
 Entech Engineering, Inc.
 P. O. Box 32
 Reading, PA 19603

Application Received August 17, 2006
 Date

Description of Action The applicant proposes replacing
 the existing well house with a
 premanufactured
 metering/chemical feed well
 house, installation of a pitless
 adaptor to Well No. 1, yard
 piping, construction of a
 retaining wall to the north of the
 existing well house, and site
 grading and restoration.

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

Application No. 3006501MA, Minor Amendment.
 Applicant **Consol Pennsylvania Coal
 Company**
 P. O. Box J
 Claysville, PA 15323

Township or Borough Richhill Township
 Responsible Official Jonathan M. Pachter, Director
 Permitting & Water Resources
 Consol Pennsylvania Coal
 Company
 P. O. Box J
 Claysville, PA 15323

Type of Facility Water treatment plant
 Consulting Engineer N.A. Water Systems
 Airside Business Park
 250 Airside Drive
 Moon Township, PA 15108

Application Received September 11, 2006
 Date

Description of Action Installation of an additional
 1,000 gallon settling tank and
 the use of Nalco UL trion 8156
 rather than Alum.

WATER ALLOCATIONS

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

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

WA 7-940A, Water Allocations. Blair Township Water and Sewer Authority, Blair County. The applicant is requesting the right to increase its maximum purchase of drinking water from 0.2 mgd to 0.3 mgd from the Altoona City Authority through an existing interconnection located in Blair Township. Consulting Engineer: Daniel J. Carbaugh, P. E., Keller Engineers, Inc. Date Application Received: 07/19/2006.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

native 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.

United Transportation Corp., Morton Borough, Delaware County. Kurt J. Spiess, EGM, P. O. Box 129, Edgemont, PA 19028 on behalf of United Transportation Corp., 501 Highland Ave., Morton, PA 19070 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with solvents and MTBEs. The proposed future use of the property will be non-residential for continued operation as a railcar wheel and transmission repair facility. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* in July 18, 2006.

231 Linwood Avenue, Lower Merion Township, Montgomery County. Samuel Kucia, Environmental Consulting, Inc., 500 E. Washington St., Norristown, PA 19401 on behalf of Lou Cordivari, Jr., 231 Linwood Ave., 231 Linwood Ave., Ardmore, PA 19003 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with diesel fuel, leaded and unleaded gasoline. The proposed future use of the subject property is anticipated to continue to be used as a commercial and residential property.

Houdry Laboratory, Lower Chichester Township, Delaware County. James Mulry, Mulry and Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 3, Glenmoore, PA 19343 on behalf of Dina Toto, Sunoco, Inc. (R & M) Marcus Hook Refinery, P. O. Box 426, Marcus Hook, PA 19061 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with inorganics and petroleum. The future use of the site will be nonresidential. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* on July 28, 2006.

Charles Audenried High School, City of Philadelphia, Philadelphia County. Gloria Hunsberger, Kleinfelder, 800 E. Washington St., West Chester, PA 19380 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with arsenic, lead and other organics. A new school building has been proposed for the site.

Penrose Elem., School, City of Philadelphia, Philadelphia County. Gloria Hunsberger, Kleinfelder, 800 E. Washington St., West Chester, PA 19380 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with lead. The future use of the site is the expansion of the current school building.

Ambler Boiler House, Ambler Borough, Montgomery County. John Zaharchuk, summit Realty Advisors, LLC, 621 Delaware St., New Castle, DE 19720 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with lead and inorganics. The future use of this site is for modern office space.

Rite Aid Pharmacy Site, City of Philadelphia, Philadelphia County. Michael Beardsley, BL Co., 213 Market St., 6th floor Harrisburg, PA 17101 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with Lead and PAHs. The intended future use of the property is for a commercial/retail business.

Pineville Lansdale Assoc., LP, Lansdale Borough, **Montgomery County**. Harris Brody, Accredited Env., Technologies, Inc., 28 N. Pennell Rd., Media, PA 19063 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with lead. A residential condominium is planned as the future use for buildings 5—7.

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

Jerr-Dan Facility, Antrim Township, **Franklin County**. Richenderfer & Associates, Inc., 63 Ladnor Lane, Carlisle, PA 17013 and STS Consultants, 558 N. Main Street, Oshkosh, WI 54901, on behalf of Jerr-Dan Corporation, 1080 Hykes Road, Greencastle, PA 17225, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, chromium and VOCs. The site is a former industrial paint shop and will continue to be used as an industrial facility. The applicant seeks to remediate to the Site-Specific Standard.

Kauffman's Mini Market, Upper Bern Township, **Berks County**. Onesky Engineering, Inc., 444 Creamery Way, Suite 300, Exton, PA 19341, on behalf of Linda Kauffman, 108 North Fourth Street, Shartlesville, PA 19554, submitted a Notice of Intent to Remediate groundwater contaminated with No. 2 heating oil. The applicant seeks to remediate to the Site-Specific Standard. The property is commercial and the proposed future use is commercial. This is a correction to a notice published at 36 Pa.B. 5714 (September 9, 2006).

Boeshore Property, Union Township, **Lebanon County**. SECOR International Inc., 102 Pickering Way, Suite 200, Exton, PA 19341, on behalf of Eugene Boeshore, 3095 SR 72, Jonestown, PA 17038, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with gasoline and kerosene leaked during removal of USTs. The site is currently residential and will remain residential. The applicant seeks to remediate to the Statewide Health Standard.

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

Sunoco Logistics Partners Barneys Drive, Loyalsock Township, **Lycoming County**, Aquaterra, P. O. Box 744, West Chester, PA 19381 on behalf of Sunoco Logistics Partners, LP, 1735 Market St., Suite LL, Philadelphia, PA 19103 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with unleaded gasoline. The applicant proposes to remediate the site to meet the Site-Specific Standard and the future use of the valve station is nonresidential and the surrounding property use is expected to remain residential.

Mavis Humphrey, Windham Township, **Bradford County**. Teeter Environmental Services, Inc., R. R. 1, Box 124B, Sayre, PA 18840 on behalf of Mavis Humphrey, R. R. 2, Box 310, Rome, PA 18837 has submitted a Notice of Intent to Remediate soil contaminated with No. 2 fuel oil. The applicant proposes to remediate the site to meet the Statewide Health Standard.

Growmark FS, Inc., Spring Township, **Centre County**. Groundwater Sciences Corp., 2601 Market Place St., Suite 310, Harrisburg, PA 17110 on behalf of Growmark FS, Inc., 308 N.E. Front St., Milford, DE 19963 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with herbicides and fertilizers. The applicant proposes to remediate the soil to meet the Statewide Health Standard and the groundwater to meet the Site-Specific Standard. The intended future use of the property is as a nonresidential commercial property.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL Facilities

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

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

PAD003025418. BAE Systems Land & Armaments LP, P. O. Box 15512, York Pa 17405-1512, West Manchester Township, **York County**. Postclosure Permit issued on September 12, 2006.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications 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.

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

Permit Application No 101509 New Morgan Land-fill Co., New Morgan Borough, **Berks County**. The Department has reviewed the previously referenced application for permit renewal. The permit was determined to be administratively complete on August 31, 2006.

Comments concerning the application should be directed to John Krueger, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Persons interested in obtaining more information about the general permit application may contact the Waste Management Program, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT

APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

PLAN APPROVALS

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

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

22-05034F: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105) for installation of a second pulverizing mill, mill cyclone, fabric collector and associated equipment at the Hummelstown Pulverizing Plant, South Hanover Township, **Dauphin County**.

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

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

23-0074: GS Roofing Products Company, Inc. (800 West Front Street, Chester, PA 19013) for installation of a Burn-Out Station and modifications to the process, to further control emissions from previously reported fugitive emission sources in the City of Chester, **Delaware County**. A thermal oxidizer is used to controls emissions from the facility. This facility is a non-Title V facility. The following is a summary of potential annual emissions from the facility's two production lines:

VOCs	< 6 tons
PM	< 5 tons
SOx	< 4 tons
CO	< 11 tons
NOx	< 8 tons
HAPs	< 1 tons

The facility shall be required to operate the thermal oxidizer at all times when either of the two production lines are in operation. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

46-0259: PPL Distributed Generation, LLC. (660 Thomas Road, Lafayette Hill, PA) for installation of a natural gas-fired reciprocating internal combustion engine in Whitemarsh Township, **Montgomery County**. This installation will increase total NOx and VOC emissions of 22.32 tpy and 10.26 tpy respectively. This facility is a Minor for VOC and NOx. The Plan approval will contain recordkeeping and operating restriction designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

46-0037Y: Cabot Supermetals (County Line Road, P. O. Box 1608, Boyertown, PA 19512-1608) for installation of a raffinate solidification process at its Boyertown facility in Douglass and Colebrookdale Townships, **Montgomery and Berks Counties**. This facility is a Title V facility. The installation will result in hydrogen fluoride emission reduction of 1.75 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

46-0031C: SmithKline Beecham Pharmaceutical d/b/a GlaxoSmithKline (1250 South Collegeville Road, Collegeville, PA 19426) for installing two scrubbers to its existing pilot plant at their Upper Providence facility in Upper Providence Township, **Montgomery County**. This facility is a Title V facility. This installation of air cleaning devices will not result in emission increases. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

58-310-010: New Milford Materials LLC (P. O. Box 324A-1, Montrose, PA 18801) for construction of a non-metallic mineral processing plant in the town of Montrose, **Susquehanna County**. This facility is a Non-Title V facility. Particulate emissions from the operation will be reduced through the use of a water spray dust suppression system. PM emissions from the operation will not exceed 19.49 tons per year. The processing plant is subject to NSPS Subpart OOO of the Federal Standards of Performance for Nonmetallic Mineral Processing Plants, 40 CFR 60.670–60.676. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

PA48-399-055: ESSROC Cement Corp. (3251 Bath Pike, Nazareth, PA 18064) for a Plantwide Applicability Limit (PAL) in accordance with the requirements of 40 CFR 51.165 for the criteria pollutants emitted from the facility in Lower Nazareth Township, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) the Department of Environmental Protection (Department) intends to issue Plan Approval No. 48-399-055 to ESSROC Cement Corp. (the Permittee), 3251 Bath Pike, Nazareth, PA 18064, Lower Nazareth Township, Northampton County. The facility currently has Title V Permit No. 48-00004. This plan approval will be incorporated into the Title V operating permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

The company has proposed to obtain a PAL in accordance with the requirements of 40 CFR 51.165 for the criteria pollutants emitted from the facility.

To show compliance with the applicable standards, the Department will place the following conditions in the Plan Approval:

1. The PALs are established for the following sources at the facility.

<i>Emission Source</i>	<i>AIMS Source ID #</i>
a. Kiln System	178
b. Space heaters	179

2. Under the requirements of 40 CFR 52.21(aa) the following PAL is established for emissions of pollutants from the above sources at the facility.

<i>Pollutant</i>	<i>PAL Emission Limitation (12- month rolling sum)</i>
SO _x	3,963.7
NO _x	3,441.0

The facility is not subject to the Prevention of Significant Deterioration (PSD) requirements of 25 Pa. Code Chapter 127, Subchapter D so long as the permittee complies with the above emission limitations from the facility and conditions for the PAL specified in this Plan Approval. Any increase in the emissions above this PAL will subject the facility to the PSD requirements. The facility must comply with requirements listed in 40 CFR 52.21 (aa).

3. The company shall show that the sum of the monthly emissions from each source including emissions from start-up, shutdowns and malfunctions under the PAL for the previous 12 consecutive months is less than the PAL (a 12-month sum, rolled monthly) respectively. To determine the compliance with the PAL the calculated pollutant emissions for the month shall be added to the previous 11 months calculated pollutant emissions for the total facility.

4. The issuance of this Plan Approval does not prevent the future adoption by the Department of any rules, regulations or standards, or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act or the Air Pollution Control Act, or to achieve or maintain ambient air quality standards. The issuance of this Plan Approval shall not be construed to limit the Department's enforcement authority.

5. The permittee may not construct or modify a new source at the facility unless the "new source", as defined in 25 Pa. Code § 121.1, meets the Best Available Technology requirements established by the Department pursuant to Section 6.6 (c) of the Air Pollution Control Act and 25 Pa. Code § 127.11.

6. At no time (during or after the PAL effective period) are emissions reductions of a PAL pollutant, which occur during the PAL effective period, creditable as decreases

for purposes of offsets unless the level of the PALs are reduced by the amount of the emissions reductions and the reductions would be creditable in the absence of the PAL.

7. The company shall maintain a file containing all records and other data that are required to be collected pursuant to the various provisions of this plan approval. The file shall include, but not be limited to: all air pollution control systems performance evaluations and records of calibration checks, adjustments and maintenance performed on all equipment which is subject to this plan approval. All measurements, records and other data required to be maintained by the company, including a determination of each emissions unit 12-month rolling total emissions and other records required by 40 CFR 52.21(aa)(13), shall be retained for at least 5 years following the date on which measurements, records or data are recorded.

8. The company shall maintain an emission tracking system to document compliance with the PAL for the facility, as specified in conditions of this Plan Approval. The tracking system shall record on a monthly basis fuel usage, emission rates and total monthly emissions for the pollutants from all affected sources at the facility. Compliance with the PAL shall be determined through the use of total monthly fuel usage from the fuel meter readings, USEPA emission factors, CEM data and/or use of emission limitations as specified in this Plan Approval for NO_x and SO_x emissions.

9. The company shall maintain adequate records of changes made to the sources at the facility under this Plan Approval so as to ensure proper recordkeeping and reporting and shall update the facility emitting source list at the time of permit renewal.

10. The company shall retain a copy of the following records for the duration of the PAL effective period plus 5 years:

(a) A copy of the PAL permit application and any applications for revisions to the PAL.

(b) Each annual certification of compliance under Title V and the data relied on in certifying the compliance.

11. The company must record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for an emissions unit during any period of time that there is no monitoring data, unless another method for determining emissions during such periods is specified in this permit.

12. The company shall report unauthorized, accidental or emergency releases of air pollutants; malfunctions of equipment, the maintenance of which is necessary to meet plan approval requirements or emission limitations; instances of exceeding permit terms or conditions or regulatory requirements found during routine plant maintenance, whether or not the Department is aware of the situation; instances of exceeding permit terms or conditions or regulatory requirements recorded by continuous monitoring equipment; or other departures from the requirements of the act, regulations adopted under the act, terms or conditions of operating permits or plan approvals, or Department orders within 1 hour of having knowledge of the occurrence of an event. The reporting of an event shall include the probable cause of the events and corrective actions or preventive measures taken in order to address the events. A written report describing the event and the preventative or corrective actions taken to address the event shall be submitted to the Department within 5 working days following the event. The

Department may take enforcement action for any violations of the applicable provisions of the Air Pollution Control Act, regulations adopted under the Act, terms or conditions of operating permits or plan approvals and Department orders. This reporting requirement in no way supercedes or eliminates any other applicable Federal or State reporting requirements.

13. Any changes in the location of the aforementioned source, or any changes in the process or control equipment would be considered a modification and would require the submittal of an amended application for plan approval in accordance with the provisions of 25 Pa. Code §§ 127.11 and 127.12.

14. The company shall submit a semi-annual report to the Department within 30 days of the end of each reporting period. This report shall contain the following:

(A) The identification of owner and operator and the permit number.

(B) Total annual emissions (tons/year) based on a 12-month rolling sum for each month in the reporting period.

(C) All data relied upon, including, any Quality Assurance or Quality Control data, in calculating the monthly and annual PAL pollutant emissions.

(D) A list of any emissions units modified or added to the major stationary source during the preceding 6-month period.

(E) The number, duration and cause of any deviations or monitoring malfunctions (other than the time associated with zero and span calibration checks), and any corrective action taken.

(F) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, and whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant.

(G) A signed statement by the responsible official (as defined by the applicable Title V operating permit) certifying the truth, accuracy, and completeness of the information provided in the report.

15. Any deviation shall be reported as per the requirements of 40 CFR 52.21(aa)(14)(ii).

16. Under the requirement of 40 CFR 52.21(aa)(14)(iii) the company shall submit to the Department the results of any revalidation test or method within 3 months after completion of such test or method.

17. The aforementioned sources may only be operated as long as the associated air pollution control devices are operated and maintained in accordance with the specifications set forth in the respective plan approvals, and the applications submitted for said plan approvals (as approved by the Department), and in accordance with any conditions set forth herein.

18. The company shall perform an annual adjustment and/or tune-up on the combustion process as per manufacturer specifications.

19. The company shall maintain and operates sources in accordance with the manufacturer specification and with good engineering practice.

20. The company shall not impose conditions upon or otherwise restrict the Department's access to the aforementioned sources and/or any associated air cleaning

devices and shall allow the Department to have access at any time to said sources and associated air cleaning devices with such measuring and recording equipment, including equipment recording visual observations, as the Department deems necessary and proper for performing its duties and for the effective enforcement of the Air Pollution Control Act.

21. PAL is effective from the date of issuance of this plan approval and expires after 10 years from the date of issuance of this approval. The company shall submit an application to renew the PAL at least 6 month prior to, but not earlier than 18 months from, the date of expiration of the PAL. If the renewal application is submitted within this time period, then the PAL shall not expire at the end of the PAL effective period. It shall remain in effect until the Department issues a revised PAL permit. The renewal application shall be submitted in accordance with the requirement of 40 CFR 52.21(aa) (10).

22. During the effective period, the Department may reopen the permit to:

(a) Correct typographical/calculation errors made in setting the PAL or reflect a more accurate determination of emissions used to establish the PAL.

(b) Reduce the PAL if the owner or operator of the major stationary source creates creditable emissions reductions for use as offsets.

(c) Revise the PAL to reflect an increase in the PAL.

(d) Reduce the PAL to reflect newly applicable Federal requirements with compliance dates after the PAL effective date.

(e) Reduce the PAL consistent with any other requirement, that is enforceable as a practical matter, and that the Department may impose on the major stationary source.

(f) Reduce the PAL if the Department determines that a reduction is necessary to avoid causing or contributing to a NAAQS or PSD increment violation, or to an adverse impact on an air quality related value that has been identified for a Federal Class I area by a Federal Land Manager and for which information is available to the general public. Except for the permit reopening for the correction of typographical/calculation errors, all other reopening shall be carried out in accordance with the public participation requirements of 40 CFR 52.21(aa)(5).

23. If the PAL expires and is not renewed, the company shall submit an application to comply with the requirement listed in 40 CFR 52.21(aa)(9) to the Department for review and approval.

24. To increase the PAL during effective period, the company shall submit an application to comply with the requirement listed in 40 CFR 52.21(aa)(11) to the Department for review and approval.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Persons wishing to provide the Department with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit No.: 48-399-055.

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, when Department determines telephone notification is sufficient. Written comments or requests for a public hearing should be directed to Mark J. Wejkszner, P. E., Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, (570) 826-2511 within 30 days after publication date.

40-318-058: Silgan Closures, LLC (350 Jaycee Drive, West Hazleton, PA 18202) for installation of a new oxidizer at the facility in Valmont Industrial Park, Hazle Township, **Luzerne County**. The company currently has a Title V permit number 40-00004. The new thermal oxidizer will replace two existing oxidizers, which control emissions from three coating lines. 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 facility is subject to 40 CFR part 63, Subpart KKKK for metal can coatings. The company must comply with 25 Pa. Code § 129.52 for VOC emissions. The company shall comply with 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.

28-05035: St. Thomas Development, Inc. (P. O. Box 1667, 1750 Walton Road, Blue Bell, PA 19422) for installation of a batch asphalt plant on their property in St. Thomas Township, **Franklin County**. The proposed asphalt plant would be located approximately 0.8 mile west of the St. Thomas Elementary School near the intersection of US 30 and Campbells Run Road.

St. Thomas Development, Inc. (STDI) requested a limit of 250,000 tons per year of asphalt production. With this limit, emissions from the batch asphalt plant are expected to be less than 15 tons per year of NOx, 5 tons per year of VOCs, 11 tons per year of SOx, 2 tons per year of PM and 50 tons per year of CO.

Combined emissions from the rock crushing operations, concrete plant and batch asphalt plant are expected to be less than 40 tons per year of NOx, 6 tons per year of VOCs, 12 tons per year of SOx, 6 tons per year of PM and 58 tons per year of CO.

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

1. For any 12-consecutive month period, the asphalt plant shall not exceed 250,000 tons of asphalt production.
2. For any 12-consecutive month period, STDI shall maintain facility wide emissions to less than major source thresholds.
3. The batch asphalt plant will be subject to 40 CFR 60, Subpart I. STDI shall comply with all applicable requirements of the Subpart.

4. If using reprocessed asphalt pavement (RAP), the RAP shall not exceed 25% by weight of the aggregate feed to a production batch.

5. PM emissions from the fabric collector shall not exceed 0.02 grain per dry standard cubic foot.

6. STDI must conduct performance tests for PM, for visible emissions and (depending on fuel) for SOx.

7. At a minimum of once each week STDI shall conduct an inspection around the facility perimeter to detect any visible emissions, fugitive emissions and/or malodors.

8. Maximum sulfur content of fuel oil shall be 0.5% by weight unless otherwise approved by the Department.

9. If STDI uses recycled oil, the recycled oil shall contain less than specified amounts of metals and halides. At least 1 of every 15 shipments shall be analyzed for these constituents. Constituent limits are:

Arsenic	less than or equal to 5 mg/kg
Cadmium	less than or equal to 2 mg/kg
Chromium	less than or equal to 10 mg/kg
Lead	less than or equal to 100 mg/kg
Total Halides	less than or equal to 1000 mg/kg
PCB	not detectable (not present at greater than 2 mg/kg)

Flash Point greater than or equal to 100F

The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

Copies of the plan approval application, the Department's analysis, and other relevant information are available for public review at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. An appointment to review the documents may be scheduled by contacting Jennifer Troutman at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

A public hearing will be held for the purpose of receiving comments on the proposed plan approval. The hearing will be held on October 26, 2006, 7 to 9 p.m. at the St. Thomas Elementary School, 70 School House Rd., St. Thomas, PA 17252.

Those wishing to comment are requested to contact Sandra Roderick at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Leif Ericson, Regional Manager, Air Quality Program, DEP, 909 Elmerton Avenue, Harrisburg PA 17110 until November 6, 2006.

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

36-05001E: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) for increasing ceiling tile production capacity by adding mixing tanks, by better moisture removal and by increased paint drying capacity in East Donegal Township, **Lancaster County**. The

increased production is expected to result in an additional emission of 4.4 tons per year of PM, an additional emission of 3.8 tons per year of VOCs, an additional emission of 0.2 ton per year of NOx and an additional emission of 0.3 ton per year of CO. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

17-305-051A: Parkwood Resources, Inc. (511 Railroad Street, Homer City, PA 15748) for modification of a coal stockpiling and truck loading operation by increasing the throughput from 700,000 tons per year to 1.200 million tons per year at the Cherry Tree Mine in Burnside Township, **Clearfield County**.

The coal stockpiling and truck loading operation consists of a number of conveyors, a stacking tube, a screen, various stockpiles and associated truck loading activities. Fugitive PM control will be provided the inherent moisture content of the coal, the use of a water truck, the use of partial conveyor covers, the use of a screen enclosure, the use of a stacking tube with weighted doors that will not open except when in actual use, the use of a vacuum-type sweeper truck, the use of paved plant roadways and the implementation of various work practices (truck tarping, onsite vehicle speed limits, minimizing the front end loader bucket-to-truck bed freefall height, and the like).

The fugitive PM emissions from the modified stockpiling and truck loading operation are not expected to exceed 44.15 tons per year, of which up to 10.21 tons may be PM10.

The Department of Environmental Protection (Department) proposes to issue plan approval for the modification of the respective coal stockpiling and truck loading operation.

The following is a summary of the conditions the Department proposes to place in the plan approval to be issued:

1. The facility shall not process more than 1.2 million tons of coal in any 12-consecutive month period nor shall it process coal other than that mined from the onsite underground mine.

2. An operable water truck equipped with a pressurized spray bar and a pressurized spray nozzle or hose connection as well as a vacuum-type sweeper truck shall be kept onsite at all times and shall be used, as needed, for the control of fugitive dust emissions from plant roadways, stockpile areas, and the like. If either truck is inoperable, the facility shall not be operated.

3. The facility's screen shall be completely enclosed, including the top inlet portion of the screen, except for the coal entrance and exit points.

4. All aboveground conveyors shall be partially or fully enclosed.

5. All 0-2" coal from the screen shall be placed onto the 0-2" stockpile by means of a stacking tube.

6. The top inlet portion of the stacking tube shall be fully enclosed except for the conveyor entrance point.

7. The bottom of the stacking tube outlet port flaps shall be weighted so that they will not open except when the level of the stockpile is up to the respective doors.

8. All trucks entering or exiting the site by means of a public roadway shall have their truck beds completely tarped or otherwise covered unless empty.

9. The entrance road and internal plant roadways shall have posted speed limits of 10 miles per hour.

10. The facility's entrance roadway and haul roads shall be paved. All remaining plant roadways shall be paved or surfaced with gravel or stone.

11. Front end loader bucket-to-truck bed height shall be kept to a minimum during all truck loading.

12. The permittee shall perform such upwind/downwind dust fall monitoring as may be requested by the Department.

13. If requested to do so by the Department the permittee shall install a water spray dust suppression system on the mine outlet conveyor. Installation shall occur in accordance with the schedule as is specified by the Department.

14. This plan approval does not authorize the construction, installation or operation of any gasoline, natural gas, propane or diesel-fired stationary engines, generators or engine-generator sets.

15. Records shall be maintained of the number of tons of coal loaded out each month. Records shall be retained for at least 5 years and shall be made available to the Department upon request.

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

25-090C: Zurn Industries—Cast Metals Division. (1301 Raspberry Street Erie, PA 16502) for construction of a paint dip operation in the City of Erie, **Erie County**.

In accordance with 25 Pa. Code §§ 127.44(d) and 127.424(d), the Department of Environmental Protection (Department) intends to issue a plan approval to construct a paint dip operation in the City of Erie, Erie County. The plan approval will include emission restrictions for the new engines. The VOC emissions from the dip coat operation are restricted to 20.0 TPY. The hours of operation at the facility are limited to 2,550 hours of operation. The source was previously located at the Pittsburgh Avenue facility. The permittee shall be required to comply with the surface coating regulations in 25 Pa. Code § 129.52. The facility will be required to monitor and keep records of the hours of operation, daily paint consumption, and the emissions from the source. The plan approval will also include additional monitoring, reporting and recordkeeping conditions and other requirements.

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

AMS 04250: Richard S. Burns, Inc. (4300 Rising Sun Ave., Philadelphia, PA 19140) for installation of a grinder, a crusher, and three screeners for processing construction material and powered by diesel engines. There will be a potential emission increase of 10.48 tons for NOx and 2.9 tons for PM for the facility. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

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

09-00030: MSC Engineered Materials and Solutions Group (120 Enterprise Avenue Morrisville, PA 19067-3703) for renewal of the Title V Operating Permit in Falls Township, **Bucks County**. The initial permit was issued on October 25, 2001, and was amended on May 13, 2004. The facility is primarily involved in metal (steel, aluminum and galvanized steel) coil coating. The coated metal is rewound and wrapped for shipment to end producers. MSC operates space heaters, paint bake ovens, prime oven oxidizers, coil coating cleanup and a laminator/embosser. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

06-03062: Rohm & Haas Chemicals, LLC (150 Columbia Street, Reading, PA 19601) for operation of a thermoplastic manufacturing facility controlled by various fabric collectors in the City of Reading, **Berks County**. This action is a renewal of the State-only Operating Permit issued in 2000.

06-03114: Aluminum Alloys, Inc. (P. O. Box 2197, Sinking Spring, PA 19608) for operation of a secondary aluminum foundry controlled by various fabric collectors in Lower Heidelberg Township, **Berks County**. This action is a renewal of the State-only Operating Permit issued in 2002.

06-05108: Bally Ribbon Mills (23 North 7th Street, Bally, PA 19503) for operation of a ribbon manufacturing facility in the Bally Borough, **Berks County**. The facility is a non-Title V (State-only) facility. The facility will be required to limit the emissions from the facility to less than 100 tons for particulate, NO_x, SO_x and CO; 50 tons for VOCs; and 25/10 tons of HAPs, during any consecutive 12-month period. Limits will be placed on the sulfur content of the fuel oils and the amount fired by the boilers. Records of the emissions and fuel usage will be required monthly and 12-month rolling total. The permit will include monitoring, recordkeeping, work practices and reporting to keep the facility operating within all applicable air quality requirements.

67-03132: Voith Siemens Hydro Power Generation (P. O. Box 712, York, PA 17405) for operation of their hydro turbines and parts manufacturing facility in West Manchester Township, **York County**. The facility has the following potential annual emissions: 41 tons NO_x and 4 tons VOC. 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.

67-05075: York Memorial Hospital (P. O. Box 15118, York, PA 17405) for operation of their hospital in Spring Garden Township, **York County**. The facility has the following potential annual emissions: 99.9 tons NO_x; 43 tons CO; 42 tons SO_x; 15 tons VOC; and 15 tons PM₁₀. The State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit.

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

47-00013: Iris Energy, LLC (50 Danbury Road, Wilton, CT 06897) DQE Synfuels, LP (411 Seventh Avenue, 15th Floor, Pittsburgh, PA 15219) for operation of a synthetic fuel manufacturing facility at PPL Montour, LLC's Montour Steam Electric Station in Derry Township, **Montour County**. The facility incorporates various pieces of mixing, conveying, and the like, and equipment which are used to mix bituminous coal with additives to manufacture "synthetic" fuel. The PM emissions from the material transfer from an underground hopper to a belt feeder are controlled by an insertable dust filter and the PM emissions from the material transfer from the plant feed conveyor to a mixer are controlled by a cyclone collector.

The air contaminant emissions from the facility are not expected to exceed 5.0 tons of PM (including 3.86 tons of PM₁₀), 2.36 tons of NO_x, 2.7 tons of VOCs, .32 ton of CO, .011 ton of HAPs and .004 ton of SO_x per year.

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

The Department of Environmental Protection proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously contained in Operating Permit 47-305-002, issued on April 9, 2002.

The conditions previously contained in Operating Permit 47-305-002 include:

1. A condition limiting the total combined emissions of VOCs from the facility to 2.7 tons during any 12 consecutive month period.
2. A condition requiring all conveyors that are not located within an enclosed structure or underground tunnel to be completely enclosed or covered.
3. A condition prohibiting the use of additives other than those specifically identified in the operating permit unless prior Department approval is first obtained.
4. A condition requiring the maintenance of records of the quantity of coal used per month, the identity and quantity of each additive used per month and the quantity of synthetic fuel produced per month.

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

A condition limiting the fuel used in the facility's two 1.758 million btu per hour propane-fired boilers to propane.

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

10-00065: Allegheny Mineral Corporation—Harrisville Plant (133 Campground Road, Harrisville, PA 16038) for reissuance of a Synthetic Minor Permit to operate a stone, quarrying and processing plant in Mercer Township, **Butler County**. The facility's major emission sources include Jaw, Cone, Raymond Mill and Bradley Mill crushers, vibrating screens, sand screw, transfer points, feeders, coarse material washer, bagging operation and new Bradley limestone grinding mill.

37-00012: Dunbar Asphalt Products (4877 West State Street, Hillsville, PA 16132) for reissuance of a Synthetic Minor Permit to operate a hot mix asphalt plant in Mahoning Township, **Lawrence County**. The significant sources are rotary dryer, stockpile and cold aggregate bins, raw material handling equipment, miscellaneous asphalt handling and asphalt cement storage and heating. The facility has taken a restriction on production not exceeding 495,000 tons per year to qualify as a Synthetic Minor facility.

43-00034: Dunbar Asphalt Products (300 Ohio Street, Wheatland, PA 16161) for re-issuance of a Synthetic Minor Permit to operate a hot mix asphalt plant in Wheatland Borough, **Mercer County**. The significant sources are Rotary dryer for plant Nos. 2 and 4, miscellaneous asphalt handling plant Nos. 2 and 4, Asphalt cement storage and heating plant Nos. 2 and 4, Stockpile and Cold aggregate bins, plant Nos. 2 and 4 and raw material handling equipment, plant Nos. 2 and 4. The facility has taken a restriction on production not exceeding 495,000 tons per year to qualify as a Synthetic Minor facility.

37-00304: Heraeus Electro Nite Co. (3 Fountain Avenue, Ellwood City, PA 16117-2172) for issuance of a Natural Minor Operating Permit to operate a manufacturing facility that produces thermocouples, oxygen sensors and carbon sensors, in Ellwood City Borough, **Lawrence County**. The facility's primary emission sources include four paper grinding machines, two shell core mold machines, two curing ovens and miscellaneous natural gas combustion.

PUBLIC HEARINGS

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

28-05035: St. Thomas Development, Inc. (P. O. Box 1667, 1750 Walton Road, Blue Bell, PA 19422) for installation of a batch asphalt plant on their property in St. Thomas Township, **Franklin County**. The proposed asphalt plant would be located approximately 0.8 mile west of the St. Thomas Elementary School near the intersection of US 30 and Campbells Run Road.

St. Thomas Development, Inc. (STDI) requested a limit of 250,000 tons per year of asphalt production. With this limit, emissions from the batch asphalt plant are expected to be less than 15 tons per year of NO_x, 5 tons per year of VOCs, 11 tons per year of SO_x, 2 tons per year of PM and 50 tons per year of CO. Combined emissions from the rock crushing operations, concrete plant and batch asphalt plant are expected to be less than 40 tons per year of NO_x, 6 tons per year of VOCs, 12 tons per year of SO_x, 6 tons per year of PM and 58 tons per year of CO.

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

1. For any 12-consecutive month period, the asphalt plant shall not exceed 250,000 tons of asphalt production.

2. For any 12-consecutive month period, STDI shall maintain facility wide emissions to less than major source thresholds.

3. The batch asphalt plant will be subject to 40 CFR 60, Subpart I. STDI shall comply with all applicable requirements of the Subpart.

4. If using reprocessed asphalt pavement (RAP), the RAP shall not exceed 25% by weight of the aggregate feed to a production batch.

5. Particulate matter emissions from the fabric collector shall not exceed 0.02 grain per dry standard cubic foot.

6. STDI must conduct performance tests for PM, for visible emissions, and (depending on fuel) for sulfur oxides.

7. At a minimum of once each week STDI shall conduct an inspection around the facility perimeter to detect any visible emissions, fugitive emissions and/or malodors.

8. Maximum sulfur content of fuel oil shall be 0.5% by weight unless otherwise approved by the Department.

9. If STDI uses recycled oil, the recycled oil shall contain less than specified amounts of metals and halides. At least 1 of every 15 shipments shall be analyzed for these constituents. Constituent limits are:

Arsenic	less than or equal to 5 mg/kg
Cadmium	less than or equal to 2 mg/kg
Chromium	less than or equal to 10 mg/kg
Lead	less than or equal to 100 mg/kg
Total Halides	less than or equal to 1000 mg/kg
PCB	not detectable (not present at greater than 2 mg/kg)
Flash Point	greater than or equal to 100° F

The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

Copies of the plan approval application, the Department's analysis, and other relevant information are available for public review at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. An appointment to review the documents may be scheduled by contacting Jennifer Troutman at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

A public hearing will be held for the purpose of receiving comments on the proposed plan approval. The hearing will be held on October 26, 2006, 7 to 9 p.m., at the St. Thomas Elementary School, 70 School House Rd., St. Thomas, PA 17252.

Those wishing to comment are requested to contact Sandra Roderick at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate

an individual to present testimony on behalf of the organization. Written comments may be submitted to Leif Ericson, Regional Manager, Air Quality Program, DEP, 909 Elmerton Avenue, Harrisburg PA 17110 until November 6, 2006.

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

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 applica-

tion within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

Coal Applications Received

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 ¹		greater than 6.0; less than 9.0	

¹ The parameter is applicable at all times.

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

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

32010104 and NPDES No. PA0248967. Reichard Contracting, Inc., (212 Olean Trail, New Bethlehem, PA 16242). Permit renewal for reclamation only of a bitumi-

nous surface-auger mine in West Mahoning Township, **Indiana County**, affecting 66.1 acres. Receiving stream: UNTs to Carr Run to Carr Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 5, 2006.

56960106 and NPDES No. PA0234192. AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650). Permit renewal for reclamation only of a bituminous surface mine in Lincoln Township, **Somerset County**, affecting 351.6 acres. Receiving streams: North Branch Quemahoning Creek and Horner Run classified for the following use: CWF. The first downstream potable

water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: September 5, 2006.

56940106 and NPDES No. PA0212903. Fieg Brothers (3070 Stoystown Road, Stoystown, PA 15563-8164). Revision of an existing bituminous surface mine for a variance to temporarily relocate a portion of Township Route 429 in Brothersvalley Township, **Somerset County**, affecting 77.4 acres. Receiving streams: UNTs to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 1, 2006.

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

03020103 and NPDES Permit No. PA0250074. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal application for reclamation only to an existing bituminous surface mine, located in South Bend Township, **Armstrong County**, affecting 20.3 acres. Receiving streams: UNTs to Big Run and Whiskey Run, classified for the following use: CWF. There is not potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: September 8, 2006.

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

16010102 and NPDES Permit No. PA0241971. MSM Coal Company, Inc., (P. O. Box 243, DuBois, PA 15801). Renewal of an existing bituminous surface strip operation in Clarion Township, **Clarion County** affecting 23.3 acres. Receiving streams: UNTs to Brush Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: September 1, 2006.

37060104. Cemex, Inc., (840 Gessner, Suite 1400, Houston, TX 77024). Commencement, operation and restoration of a bituminous surface strip operation in Shenango Township, **Lawrence County** affecting 48.7 acres. Receiving streams: UNT to McKee Run, classified

for the following use: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: September 1, 2006.

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

54840203R4. Skytop Coal, Inc. (P. O. Box 330, Mahanoy City, PA 17948). Renewal of an existing coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 200.0 acres, receiving stream: Mill Creek. Application received: August 17, 2006.

54970101T and NPDES Permit No. PA0223832. Premium Fine Coal, Inc. (P. O. Box 2043, Hazleton, PA 18201). Transfer of an existing anthracite surface mine operation from JC Coal, Inc. in Schuylkill Township, **Schuylkill County** affecting 632.0 acres, receiving stream: Schuylkill River. Application received: August 28, 2006.

54940202R2. Dizenzo Coal Company (1389 Bunting Street, Pottsville, PA 17901). Renewal of an existing coal refuse reprocessing, disposal and preparation plant operation in Branch Township, **Schuylkill County** affecting 30.3 acres, receiving stream: none. Application received: August 29, 2006.

54960202R2. City of Philadelphia, Trustee (21 South 12th Street, Philadelphia, PA 19107). Renewal of an existing anthracite coal refuse reprocessing, surface mine and preparation plant operation in Butler, West Mahanoy and Union Townships, **Schuylkill County** affecting 1071.0 acres, receiving stream: none. Application received: August 30, 2006.

19950102R2. N & L Coal Company (1380 Tioga Street, Coal Township, PA 17866). Renewal of an existing anthracite surface mine, refuse reprocessing and refuse disposal operation in Conyngham and Mt. Carmel Townships, **Columbia and Northumberland Counties** affecting 961.3 acres, receiving stream: none. Application received: August 30, 2006.

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:

Noncoal Applications Received

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

¹ The parameter is applicable at all times.

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

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

45880301T and NPDES Permit No. PA0594113. Tarheel Quarry, LLC (2000 Highway 35, Morgan, NJ 08879). Transfer of an existing quarry operation and discharge of treated mine drainage from Selig Construc-

tion Co., Inc. in Tobyhanna Township, **Monroe County** affecting 406.0 acres, receiving stream: UNT to Lehigh River. Application received: August 22, 2006.

4874SM2C2 and NPDES Permit No. PA0123544. Oldcastle Stone Products (550 S. Biesecker Road, Thomasville, PA 17365). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Jackson Township, **York County**, receiving stream: Little Conewago Creek, classified for the following use: TSF. Application received: August 28, 2006.

01740401C4 and NPDES Permit No. PA0613045. Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in

Hamiltonban Township, **Adams County**, receiving stream: Muddy Run, classified for the following use: CWF. Application received: August 31, 2006.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-759. Jeffrey Berlin, 318 Mulberry Street, Kennett Square, PA 19348, Kennett Township, **Chester County**, ACOE Philadelphia District.

To perform the following activities across a UNT to Red Clay Creek (CWF) associated with the proposed driveway access:

1. To construct and maintain a 20-foot long concrete box culvert with associate riprap and utilities impacting 0.041 acre of wetlands. The proposed culvert will have a clear span of 11.0 feet and an underclearance of 3.0 feet.

2. To place and maintain a temporary sand bag cofferdam.

The site is located approximately 800 feet southeast of the intersection of Greenwood Road and Banewood Drive (Kennett Square, PA USGS Quadrangle N: 19.6 inches; W: 5.4 inches).

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

E45-494. Paradise Township, R.R. 1, Box 490A, Cresco, PA 18326-9801 in Paradise Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To modify and maintain an existing 190-foot long, 54-inch diameter R.C.P. stream enclosure in a tributary to Forest Hills Run (HQ-CWF) with work consisting of a 36-foot long extension on the downstream side using the same pipe diameter and material. The purpose of the stream enclosure extension is to allow the construction of a new access road to the existing golf course. The project is located along SR 1013 (Woodland road) near the proposed Mount Airy Hotel and Casino facility (Mount Pocono, PA Quadrangle N: 10.2 inches; W: 20.4 inches).

E45-495. Paradise Township, R.R. 1, Box 490A, Cresco, PA 18326-9801 in Paradise Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 190-foot long reinforced concrete box culvert stream enclosure having a span of 20 feet and underclearance of 5.0 feet in Forest Hills Run (HQ-CWF). The stream enclosure will be depressed 1.0 feet below streambed elevations resulting in an actual underclearance of 4.0 feet. The project is located along SR 1013 (Woodland Road) near the proposed Mount Airy Hotel and Casino facility (Mount Pocono, PA Quadrangle N: 10.2 inches; W: 20.4 inches).

E45-492. Arcadia Homes of Lehigh Valley No. 2, LLC, 100 Gateway Drive, Suite 310, Bethlehem, PA 18017, in Coolbaugh Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 24-inch diameter stormwater outfall structure in the floodway of Clear Run (HQ-CWF). This work is associated with a proposed residential community, known as Hemlock Estates, located at the intersection of Sharbaugh Road and Hemlock Drive (Tobyhanna, PA Quadrangle N: 5.5 inches; W: 0.1 inch).

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

E2-391: Hampden Township, 230 South Sporting Hill Road, Mechanicsburg, PA 17050-3097 in Hampden Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain a 12-foot wide single span bike trail bridge of 50 feet across Sears Run (WWF) to improve the biking trail located 1,800 feet from its confluence with Conodoguinet Creek (Harrisburg West, PA Quadrangle N: 1.9 inches; W: 13.3 inches; Latitude: 40° 15' 38"; Longitude: 76° 58' 13") in Hampden Township, Cumberland County.

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

E61-277, Byzantine, Inc., 1198 Mulberry Lane, Bridgewater, PA 1500. Tractor Supply Development, in Cranberry Township, **Venango County**, ACOE Pittsburgh District (Cranberry, PA Quadrangle N: 18.8 inches; W: 13.2 inches).

The applicant proposes to fill 0.03 acre of PEM wetland (de minimis) for the construction of a commercial retail facility and associated parking area approximately 0.4 mile west of the intersection of SR 322 and SR 257. The project proposes to directly impact 0.03 acre of PEM wetland.

ENVIRONMENTAL ASSESSMENTS

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

D46-013EA. Southeast Montgomery County Trout Unlimited, 6216 Argyle Street, Philadelphia, PA 19111, Abington Township, **Montgomery County**, ACOE Philadelphia District.

Project proposes to breach and remove Lorimar Park Dam located across Pennypack Creek (TSF, MF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project also involves the removal of a four span masonry arch bridge approximately 100 feet downstream of the Lorimar Park Dam. The project will restore approximately 1,700 feet of stream channel. The dam and bridge are located approximately 3,000 feet southwest of the

intersection of Old Welsh Road (SR 63) and Huntingdon Pike (SR 232) (Frankford, PA-NJ Quadrangle N: 20.5 inches; W: 10.25 inches).

EA04-001CO. Mark A. McCormick, 940 Fairlane Blvd., New Galilee, PA 16141, Big Beaver Borough, **Beaver County**, ACOE Pittsburgh District.

Project proposes to construct, operate, and maintain a nonjurisdictional dam across a tributary to Clarks Run (HQ-CWF) for the purpose of wildlife enhancement and recreation. The project will impact approximately 175 feet of stream channel and approximately 0.01 acre of wetlands. The dam is located approximately 275 feet west of the intersection of Shenango Road (SR 4017) and Friendship Road (SR 4006) (Beaver Falls, PA Quadrangle, N: 10.95", W: 17.1").

EA36-0013CO. Ambassadors for Christ, Inc., 3256 Lincoln Highway East, Paradise, PA 17562, Paradise Township, **Lancaster County**, ACOE Baltimore District.

To remove an existing jurisdictional dam across Eshleman Run (CWF), provide bank stabilization at the location of the dam, and install grade control structures in the reservoir area upstream of the dam. Installation of a water intake structure and dredging of an existing off stream pond to its original storage capacity also are proposed to maintain water for a mill race that is linked to the dam. The dam is located approximately 4,000 feet upstream of the Lincoln Highway (US 30) Bridge across Eshleman Run (New Holland, PA Quadrangle, N: 0.1 inch, W: 15.4 inches).

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAS802214 (Stormwater)	North American Bulk Transport, Inc. 3190 Daniels Road Nazareth, PA 18064-9054	Nazareth Borough Northampton County	UNT to Moncacy Creek (2C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0081311 (Sewage)	South Londonderry Township Municipal Authority P. O. Box 3 Campbelltown, PA 17010-0003	Lebanon County South Londonderry Township	Conewago Creek 7-G	Y
PA0110931 (Sewage)	Bernard George Shellbark Campground 166 Shellbark Road Manns Choice, PA 15550	Bedford County Napier Township	Raystown Branch Juniata River 11-C	Y
PA0033111 (Sewage)	Richard Walker Oak Creek Campground, Inc. P. O. Box 128 Bowmansville, PA 17507	Lancaster County Brecknock Township	Rock Run 7-J	Y
PA0080721 (Sewage)	Frank Perano Cedar Manor Mobile Home Park Box 677 Morgantown, PA 19543	Dauphin County Londonderry Township	UNT Conewago Creek 7-G	Y
PA0042781 (IW)	Leslie Shaffer Mount Joy Wire Corporation 1000 East Main Street Mount Joy, PA 17552-9332	Lancaster County Rapho Township	Little Chickies Creek 7-G	Y
PA0008184 (IW)	Frank Koller Taylor Wharton Company 1001 Herr Street Harrisburg, PA 17105-2365	Dauphin County Harrisburg City	Paxton Creek 7-C	Y
PAR10M214-R	Edwin Martin Hartog Orchard Estates 4961 Cumberland Highway Chambersburg, PA 17201		Conochocheague Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0003832 Industrial Waste	Aristech Chemical Corp. 200 Neville Road Pittsburgh, PA 15225	Allegheny County Neville Township	Ohio River (Back Channel)	Y
PA0216097 Industrial Waste	Standard Forged Products, Inc. 100 Iron Street Johnstown, PA 15906-2610	Cambria County City of Johnstown	Conemaugh River	Y
PA0046906 Sewage	Moon Township Municipal Authority 1700 Beaver Grade Road Moon Township, PA 15108-3193	Allegheny County Moon Township	Ohio River	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0095940 Sewage	Albert Gallatin Area School District 2625 Morgantown Road Uniontown, PA 15401	Fayette County Georges Township	York Run	Y
PA0098922 Sewage	Freedom Area School District 1701 Eighth Avenue Freedom, PA 15042-2099	Beaver County New Sewickley Township	UNT of Pine Run	Y
PA0205737 Sewage	Dominion Transmission, Inc. 1201 Pitt Street Pittsburgh, PA 15221	Westmoreland County Hempfield Township	UNT of Brush Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0220817	TA Operating Corporation Barkeyville Travel Center 24601 Center Ridge Road, Suite 200 Westlake, OH 44145-5634	Barkeyville Borough Venango County	UNT to Wolf Creek 20-C	Y
PA0046337	Colonial Village Susdivision STP 9231 Edinboro Road P. O. Box 62 McKean, PA 16426-0062	McKean Township Erie County	Thomas Run 15-WC	Y
PA0023957	Georgetown Heights Subdivision STP 9231 Edinboro Road P. O. Box 62 McKean, PA 16426-0062	McKean Township Erie County	UNT to Elk Creek 15-EC	Y
PA0223140	Interstate Antique Mall SFTF 5446 Station Road North East, PA 16a428	North East Township Erie County	UNT to Sixteen Mile Creek 15-FM	Y

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

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

NPDES Permit No. PA0247251, CAFO, **Esbenshade Farms**, Mount Joy Farm, 220 Eby Chiques Road, Mount Joy, PA 17552. This proposed facility is located in East Donegal and Rapho Townships, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 3,199 AEU poultry farm situated near a UNT of the Susquehanna River in Watershed 7-G.

NPDES Permit No. PA0248100, CAFO, **Esbenshade Farms**, Maytown Farm, 220 Eby Chiques Road, Mount Joy, PA 17552. This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 2,400-AEU poultry operation situated near a UNT of the Susquehanna River in Watershed 7-G.

NPDES Permit No. PA0248096, CAFO, **Esbenshade Farms**, North Farm, 220 Eby Chiques Road, Mount Joy, PA 17552. This proposed facility is located in Mount Joy Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,977-AEU poultry operation situated near a UNT of Little Chiques Creek in Watershed 7-G.

NPDES Permit No. 0247057, CAFO, **Hetrickdale Farms**, 69 Hetrick Road, Bernville, PA 19506. This proposed facility is located in Jefferson Township, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,958-AEU dairy operation near a UNT of Mill Creek in Watershed 3-C.

NPDES Permit No. PA0247588, CAFO, **Wenger's Feed Mill, Inc.**, Dutch Country Egg Farm, 101 West Harrisburg Avenue, Rheems, PA 17570. This proposed facility is located in Bethel Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,729-AEU poultry operation near Oil Creek in Watershed 7-D.

NPDES Permit No. PA0087980, CAFO, **Dream Farms**, 13689 Dream Highway, Newburg, PA 17240. This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 2,295-AEU heifer operation near UNTs of Conodoguinet Creek in Watershed 7-B.

NPDES Permit No. PA0247863, CAFO, **Brubaker Farms Partnership**, 493 Musser Road, Mount Joy, PA 17552. This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,208-AEU dairy and poultry operation near a UNT of Donegal Creek in Watershed 7-G.

NPDES Permit No. PA0247481, CAFO, **Noah W. Kreider & Sons**, Mount Pleasant Farm, 1461 Lancaster Road, Manheim, PA 17545. This proposed facility is located in South Annville Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 7,871-AEU poultry operation near Gingrich Run and Bachman Run in Watershed 7-D.

NPDES Permit No. PA0248231, Sewage, **Glenn Deiter**, Otterbein United Methodist Church of Duncannon, 301 North High Street, Duncannon, PA 17020. This proposed facility is located in Penn Township, **Perry County**.

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

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

NPDES Permit No. PA0253197, Industrial Waste, **Rollock Company**, 156 Rollock Road, Stoystown, PA 15563. This proposed facility is located in Franklin Borough, **Cambria County**.

Description of Proposed Action/Activity: Permit issuance for the discharge of storm water from a scrap and waste materials wholesaler.

NPDES Permit No. PA0030406-A1, Sewage, **State Correctional Institution at Laurel Highlands**, P. O. Box 631, 5706 Glades Pike, Somerset, PA 15501-0631. This proposed facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Permit amendment issuance to treat landfill leachate.

NPDES Permit No. PA0253057-A1, Sewage, **Anthony and Ruth Testa**, 428 Truby Street, Greensburg, PA 15601. This proposed facility is located in Donegal Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit amendment issuance to discharge from a single residence sewage treatment plant to receiving waters named Roaring Run.

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

NPDES Permit No. PA0025569, Sewage, **Slippery Rock Municipal Authority**, 633 Kelly Boulevard, P. O. Box 157, Slippery Rock, PA 16057. This proposed facility is located in Slippery Rock Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Slippery Rock Creek (outfall 001) and a UNT to Slippery Rock Creek (outfall 002-005) in Watershed 20-C.

III. WQM Industrial Waste and Sewerage Actions 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. 3696407, Amendment 06-1, Sewerage, **Northern Lancaster County Authority**, 983 Beam Road, Denver, PA 17517. This proposed facility is located in Brecknock Township, **Lancaster County**.

Description of Proposed Action/Activity: Approval for modification/operation of sewerage facilities consisting of the installation of Ultraviolet Disinfection to replace the existing tablet chlorination.

WQM Permit No. 0606403, Sewerage, **Perry Township Municipal Authority**, 680 Moselem Springs Road, Shoemakersville, PA 19555. This proposed facility is located in Perry Township, **Berks County**.

Description of Proposed Action/Activity: Approval for construction/operation of a new duplex submersible pump station including wet well, building enclosure, portable generator and appurtenances along with associated 4-inch diameter force main. This permit authorizes the connection on 27 EDUs to the Water Street Pumping Station. Additional connections require Planning approval.

WQM Permit No. 3695402, Amendment 06-1, Sewerage, **Northern Lancaster County Authority**, 983 Beam Road, Denver, PA 17517. This proposed facility is located in Brecknock Township, **Lancaster County**.

Description of Proposed Action/Activity: Approval for modification/operation of sewerage facilities consisting of the installation Ultraviolet Disinfection to replace the existing tablet chlorination.

WQM Permit No. 0606404, Sewerage, **Hamburg Municipal Authority**, Amity Township, 2004 Weavertown Road, Douglassville, PA 19518. This proposed facility is located in Amity Township, **Berks County**.

Description of Proposed Action/Activity: Approval for construction/operation of the Monocacy Sewer Pump Station; a new dual submersible sewage pump station including wet well, vault with magnetic flow meter, building, emergency generator and appurtenances. The project includes approximately 9,500 lineal feet of 6-inch diameter force main.

WQM Permit No. 5006401, Sewerage, Glenn Deiter, Otterbein United Methodist Church of Duncannon, 301 North High Street, Duncannon, PA 7020. This proposed facility is located in Penn Township, **Perry County**.

Description of Proposed Action/Activity: Approval for the construction/operation of a Cromaglass CA-30 plant, effluent filter, chlorine disinfection and sludge holding tank to serve their church.

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

WQM Permit No. 4706401, Sewerage (SIC 4952), **William and Connie Knauer**, 20 Keefer Mill Lane, Danville, PA 17821. This proposed facility will be located in Liberty Township, **Montour County**.

Description of Proposed Action/Activity: Permit issued authorizing the construction and operation of a small flow treatment facility to serve a residence.

WQM Permit No. 1795408-A52, Sewerage 4952. **Bradford Township**, 2289 Barrett Road, Suite B, Woodland, PA 16881. This proposed facility is located in Bradford Township, **Clearfield County**.

Description of Proposed Action/Activity: Transfer application for single residence located in Bradford Township, Clearfield County.

WQM Permit No. 1806403, Sewerage, **Borough of Flemington**, 126 High Street, Flemington, PA 17745. This project is located in Borough of Flemington, **Clinton County**.

Description of Action/Activity: The applicant is approved to replace the older sections of Woods Avenue Sanitary Sewer Interceptor from Frederick Street to Middle Lane. The old sections of sewer line are cracked and disjointed and are believed to cause hydraulic backups during wet weather flows. In addition to the new sewer line, a new open channel metering system will be installed.

WQM Permit No. 1406201, Industrial Waste, **Department of Transportation, Engineering District 2-0**, 1924 Daisy Street Ext, P. O. Box 342, Clearfield, PA 16630 This proposed facilities will be located in Huston, Patton and Worth Townships, **Centre County**.

Description of Proposed Action/Activity: A permit has been issued for the construction and operation of the Phase I Acid Rock Remediation Measures for Immovable Pyritic Rock (I-99 SR 6220). The facilities will include an impermeable membrane and Geoweb cover system over the large buttress/bifurcation fill, the small buttress/bifurcation fill, the small cut face, the high wall and low wall of the large cut face; an impermeable geosynthetic clay liner and Geoweb cover system over the median within the bifurcation area; a collection system to collect contaminated water from along the buttress/bifurcation fills, the cut faces, and the bifurcation median area; collection and storage facilities for contaminated wastewater; and pretreatment facilities prior to wastewater disposal offsite. No discharge from the wastewater collection, storage or pretreatment facilities is proposed or authorized. Clean surface water will be diverted from the areas of pyritic rock by collection and conveyance channels.

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

WQM Permit No. 6506203, Industrial Waste, **Highridge Water Authority**, 17 Maple Avenue, Blairsville, PA 15717. This proposed facility is located in St. Clair Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the installation and operation of 111 feet of 8-inch PVC effluent pipe.

WQM Permit No. 2606402, Sewerage, **North Union Township Municipal Services Authority**, 6 South Evans Station Road, LeMont Furnace, PA 15456. This proposed facility is located in North Union Township, **Fayette County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a new pump station to serve the Fayette County Industrial Park, Mount Independence and Rosie Hill.

WQM Permit No. 6506402, Sewerage, **Anthony M. & Ruth A. Testa**, 428 Truby Street, Greensburg, PA 15601. This proposed facility is located in Donegal Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the 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.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010905036	Jerry Souder 1228 Old Route 309 Sellersville, PA 18960	Bucks	Milford Township	Tributary Unami Creek (HQ-TSF)
PAI011506043	Griffiths Construction 851 Chester Springs Road Chester Springs, PA 19425	Chester	Charlestown Township	Pickering Creek (HQ-TSF)
PAI011506051	Delaware Valley Friends School 19 East Central Avenue Paoli, PA 19301	Chester	Tredyffrin Township	Valley Creek (EV)

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032805007	Department of Military Affairs Building 0-47 Fort Indiantown Gap Annville, PA 17003-5002	Franklin	Guilford and Quincy Townships	Rocky Mountain Creek HQ-CWF
PAI033606004	Henry M. Hershey 136 Herr Drive Peach Bottom, PA 17563	Lancaster	Fulton Township	UNT Peters Creek HQ-WWF

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

Somerset County Conservation District, 6024 Glades Pike, Suite 103, Somerset, PA 15501, (814) 445-4652.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI055606001	Hidden Valley Four Seasons Resort One Craighead Drive Hidden Valley, PA	Somerset	Jefferson Township	Kooser Run (HQ-CWF)

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Goshen Township Chester County	PAG2001505108	Westrum Development, LLC 370 Commerce Drive, Suite 100 Fort Washington, PA 19034	East Branch Chester Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
South Coatesville Borough Chester County	PAG2001506030	PA American Water Company 4 Wellington Boulevard Wyomissing, PA 19610	West Branch Brandywine Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Darby Township Delaware County	PAG2002306024	Southeast-Delco School District 1560 Delmar Drive Folcroft, PA 19032	Darby Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bethel Township Delaware County	PAG2002305052	1515 Limited Partners, LP 86 Jansen Avenue Boothwyn, PA 19061	Spring Run (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Salford Township Montgomery County	PAG2004605219	The Hendricks Group, LLC 345 Main Street Harleysville, PA 19438	West Branch Skippack Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2004606063	Montgomery County Planning Commission One Montgomery Plaza Suite 201 Norristown, PA 19404	Schuylkill River/Perkiomen Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004605217	Paul Henry 52 Keen Road Lindfield, PA 19468	UNT Ming Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hatfield Township Montgomery County	PAG2004606072	Hatfield Township 1950 School Road Hatfield, PA 19440	West Branch Neshaminy Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004605156	Hide and Seek Self Storage 415 Ridge Pike Limerick, PA 19468	Landis Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004606069	Chelsea Property Group 105 Eisenhower Parkway Roseland, NJ 07068	Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lehman Township Luzerne County	PAG2004006026	Pennsylvania State University 101P, OPP Bldg. University Park, PA 16802	East Fork Harveys Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
City of Scranton Lackawanna County	PAG2003506009	Jesse Ergot Lackawanna Heritage Valley Authority 1300 Old Plank Road Mayfield, PA 18433	Lackawanna River CWF	Lackawanna Co. Cons. Dist. (570) 281-9495
Peters Township Franklin County	PAG2002806059	Wharton Ridge William Smith 11 Linden Ave Mercersburg PA 17236	UNT west Br of Conococheague TST/MF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Amity Township Berks County	PAG20006050511	David Robbins Daniel Boone School District P. O. Box490 Birdsboro, PA 19508	Monocacy Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-0520 (610) 372-4657 Ext. 201
Bethel Township Berks County	PAG2000606061	Richard Wells 527 Campers Road Wyomissing, PA 19610	UNT to Little Swatara Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-0520 (610) 372-4657 Ext. 201
Tilden Township Berks County	PAG2000606051	William Kiefer Hamburg Area School District Windsor Street Hamburg, PA 19526	UNT to Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-0520 (610) 372-4657 Ext. 201
Derry Township Mifflin County	PAG2004405003	Department of General Services c/o Ronald B. Blauch 18th and Herr Sts. Harrisburg, PA 17125	UNT to TSF	Mifflin County Conservation District 20 Windmill Hill #4 Burnham, PA 17009 (717) 248-4695
Little Britain Township Lancaster County	PAG2003605127	Department of Transportation Engineering District 8-0 2140 Herr St. Harrisburg PA 17103	Octoraro Creek WWF; MF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Mount Joy Township Lancaster County	PAG2003605145	H. Glenn Esbenshade 8 Shadewood Place Lititz PA 17543	UNT Donegal Creek CWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
East Lampeter Township Lancaster County	PAG2003606015	John E. Miller 1670 Wheatland School Rd Lancaster PA 17062	UNT Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
East Hempfield Township Lancaster County	PAG2003606023	Tobacco Road Associates 191 Broad St. Landisville PA 17538	UNT Chickies Creek/Swarr Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Pequea Township Lancaster County	PAG2003606039	Harriet F. Evans 2100 Willow Street Pike Lancaster PA 17602	Goods Run TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Warwick Township Lancaster County	PAG2003606041	Hurst/Beiler Partners 154 E. Farmersville Rd. Ephrata PA 17522	Lititz Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Rapho Township Lancaster County	PAG2003606045	James C. Keener 2822 Harrisburg Pike Lancaster PA 17603	Little Chiques Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Mount Joy Township Lancaster County	PAG2003606049	Department of Transportation District 8-0 2140 Herr St. Harrisburg PA 17103 1699	UNT Donegal Creek CWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
West Earl Township Lancaster County	PAG2003606054	Frank H. Hoover 469 Farmersville Rd. Ephrata Pa 17522	Conestoga Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Mount Joy Township Lancaster County	PAG2003606055	Richard McGrath 155 S. Mill Rd. Hummelstown PA 17036	Conewago Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Rapho Township Lancaster County	PAG2003606056	Quail Creek, LP 1794 Oregon Pike Lancaster PA 17601	UNT Chickies Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
West Lampeter Township Lancaster County	PAG2003606060	Ed Diller Bewildered Builders, LLC 616 Chatham Way Lititz PA 17543	Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
East Lampeter Township Lancaster County	PAG2003606062	John Barry Lanco Self Storage 1591 Mission Rd. Lancaster PA 17601	UNT Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
West Donegal Township Lancaster County	PAG2003606066	VFW 33 Arch Street Elizabethtown PA 17022	Conoy Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
East Cocalico Township Lancaster County	PAG2003606068	David Hollinger 755 White Oak Rd. Denver PA17517	Frys Run TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Manheim Township Lancaster County	PAG2003606070	Roy D. Brod 1129 Oakmont Dr. Lancaster PA 17601	Landis Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Manheim Township Lancaster County	PAG2003606071	Jon F. Warner 2496 Shaub Rd. Lancaster PA 17601	Landis Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
New Holland Borough Lancaster County	PAG2003606072	Robert Sindall/Dennis Burkholder 458 E. Spruce St. New Holland PA 17557	UNT Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Mount Joy Township Lancaster County	PAG2003606073	Bob Kettering/Ketterline Bldrs 3121 A Mount Joy Rd. Mount Joy PA 17552	UNT Donegal Creek CWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Elizabethtown Borough Lancaster County	PAG2003606074	Elizabethtown Borough 600 S Hanover Street Elizabethtown PA 17022	Conoy Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Strasburg Borough Lancaster County	PAG2003606076	Lampeter Strasburg School District 1007 Village Rd., Box 428 Lampeter PA 17537	Walnut Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
New Holland Borough Lancaster County	PAG2003606077	John Yoder 14 S. Tower Rd. New Holland PA 17557	UNT Mill Creek CWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Ephrata Borough Lancaster County	PAG2003606078	The Bachman Co. 1 Park Plaza Wyomissing PA 19610	Cocalico Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Ephrata Township Lancaster County	PAG2003606079	Weaverland Menn. Reception Center 824 Fivepointville Rd. Stevens PA 17578	Muddy Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Sadsbury Township Lancaster County	PAG2003606082	George H. Stuppy 838 Timberline Dr. Gap PA 17527	Williams Run CWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Donegal Township Lancaster County	PAG2003606083	Keystone Custom Homes 214-A Willow Valley Lakes Dr. Willow Street PA 17584	Donegal Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Manor Township Lancaster County	PAG2003606084	Manor Brethren In Christ Church 530 Central Manor Rd. Lancaster PA 17603	UNT Conestoga Creek/TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Upper Leacock Township Lancaster County	PAG2003606085	Windy Hill Properties, LP P. O. Box 225 Paradise PA 17562	UNT Mill Creek CWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Rapho Township Lancaster County	PAG2003606087	Daniel B. Landis 1233 Mastersonville Rd. Manheim PA 17545	Brubaker Run TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
East Lampeter Township Lancaster County	PAG2003606088	G & S Associates 315 Garden Park Circle Lancaster PA 17601	UNT Conestoga RIVER WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Leacock Township Lancaster County	PAG2003606090	Stephen Esh 2083 Forry Rd. Lancaster PA 17601	Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
West Earl Township Lancaster County	PAG2003606094	John J Sheaffer, II 35 Saw Mill Rd Ephrata PA 17522	Groff Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
East Earl Township Lancaster County	PAG2003606095	Terre Hill Mennonite Hs 270 Panorama Rd. Denver PA 17517	Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Leacock Township Lancaster County	PAG2003606098	David S. Stoltzfus 3301b Harvest Dr. Gordonville PA 17529	Watson Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5
Manheim Township Lancaster County	PAG2003606101	Triple H Construction 430 Springville Rd. Ephrata PA 17522	Bachman Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 200 Lancaster PA 17601 (717) 299-5361, Ext. 5

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Cumberland Township Adams County	PAG2-0001-06-018	S. Gregory and Christine D. Allen Graphcom, Inc. 1219 Chambersburg Rd. Gettysburg, PA 17325	UNT to Marsh Creek CWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Mount Joy Township Adams County	PAG2000105022	Frederick L. Bierer Colbier Farms, LLC 926 St. Paul Street Baltimore, MD 21202	Little Run WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Conewago Township Adams County	PAG2000106015	Jeffery Fuhrman Utz Quality Foods, Inc. 900 High Street Hanover, PA 17331	UNT to South Branch of Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Mt. Joy Township Adams County	PAG2000106023	Steve Knisley 181 St. Johns Road Littlestown, PA 17340	Little Run-Rock Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Germany Township Adams County	PAG2000106012	Tony Forbes Bethel Assembly of God, Inc. 2075 Fish and Game Road Littlestown, PA 17340	Alloway Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Union Township Adams County	PAG2000106005	Terry Taylor Littlestown Chapel of Outreach for Christ, Inc. 1144 Bollinger Road Littlestown, PA 17340	UNT to South Branch of Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
York Township York County	PAG2006706025	Cherrywood Gerard Builders, Inc. P. O. Box 301 New Providence, PA 17560	Tyler Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
City of York York County	PAG2006706057	York Outdoor Recreation Complex 144 Roosevelt Ave. York, PA 17404 Blanda Nace	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Hanover Borough York County	PAG2006706045	Texas Roadhouse/ Starbucks Coffee Robert Monahan 131 Carlisle St. Gettysburg, PA 17325	Unt South Branch WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Penn Township York County	PAG2006706014	Pinebrook Paul Burkentine Stoneridge Dev. 330 Dubbs Church Rd. Hanover, PA 17331	Oil Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manheim Township York County	PAG2006706042	Charles P. Bowman 2855 Black Rock Rd. Hanover, PA 17331	W. Branch Codorous Ck/Long Run Creek WWF/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manheim Township York County	PAG2006706037	Paradise Acres Andy Lawrence L. L. Lawrence Builders 1 Industrial Drive Hanover, PA 17331	Unt to W Branch Codorus Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manheim Township York County	PAG2006706022	Steeple Chase Stoneridge Dev. Paul Burkentine 330 Dubs Church Rd. Hanover, PA 17331	Unt to West Branch Codorus Creek/ WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Bradford County Asylum Township	PAG2000806006	Brian Crocket PA VA Inc. R. R. 1, Box 22 Wyalusing, PA 18853 Co-Applicant Barry Chilson KCJ Properties, LLC 5890 Potters Lane Pipersville, PA 18947	UNT to Susquehanna Rivier WWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5, Box 5030C Towanda, PA 18848 (570) 265-5539 X 6
Clearfield County Bigler Township	PAG2001706012	Moshannon Valley School District 4934 Green Acre Road Houtzdale, PA 16651	Japling Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Lycoming County Muncy Creek Township	PAG2004106012	Department of Transportation Engineering District 3-0 P. O. Box 218 Montoursville, PA 17754	Muncy Creek TSF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Lycoming County Old Lycoming Township	PAG2004106014	Bender & Dunlap Nicholas Bender Fox Hollow Estates 517 Alta Vista Drive Williamsport, PA 17701	UNT to West Branch Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Beaver County New Sewickley Township	PAG2000405027	Dick Hartung Ashford Realty Company 1120 Perry Highway Pittsburgh, PA 15237	Big Sewickley Creek (TSF)	Beaver County CD (724) 378-1701

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Beaver County Big Beaver Borough	PAG2000406017	William West, Jr. Castlebrook Development 307 4th Avenue Suite 910 Pittsburgh, PA 15222	UNT to Stockman Run (WWF)	Beaver County CD (724) 378-1701
Greene County Perry/Dunkard	PAG2003006010	Dana Mining Co. of PA, Inc. P. O. Box 1170 Morgantown, WV 26507	Glade Run (WWF) Tributary to Glade Run (WWF) Watkins Run (WWF)	Greene County CD (724) 852-5278
Somerset County Somerset Township	PAG2005606008	Highlands Development Group, Inc. 608 Wetland Drive Greensburg, PA 15601	UNT to East Branch of Coxes Creek (TSF)	Somerset County CD (814) 445-4652
Somerset County Somerset Township	PAG2005606013	Somerset Church of the Brethren 177 Sunrise Lane Somerset, PA 15501	UNT to Kimberly Run (CWF)	Somerset County CD (814) 445-4652
Erie County North East Township	PAG2002506031	Mercyhurst College 16 West Division Street North East, PA 16428	Tributary Sixteen- Mile Creek WWF; MF	Erie Conservation District (814) 825-6403
Erie County City of Erie	PAG2002506032	County of Erie 140 West 6th Street Erie PA 16501	Millcreek WWF	Erie Conservation District (814) 825-6403
Mercer County City of Hermitage	PAG2004306013	Hermitage School District 411 North Hermitage Road Hermitage, PA 16148	Pine Hollow Run WWF	Mercer Conservation District (724) 662-2242

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Gwynedd Township Montgomery County	PAR230066	Rohm & Haas Chemicals, LLC 727 Norristown Rd. Spring House, PA 19477	Wissahickon Creek/Neshaminy Creek 3F Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
City of Philadelphia Philadelphia County	PAR600026	Allegheny Iron & Metal Co. Tacony St. and Adams Ave. Philadelphia, PA 19124	Frankford Creek 3J Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
City of Philadelphia Philadelphia County	PAR800041	BFI Transfer Systems of PA, LLC 2904 S. Christopher Columbus Blvd. Philadelphia, PA 19148	Delaware River 3J Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
City of Philadelphia Philadelphia County	PAR230060	RichardsApex, Inc. 4202-24 Main St. Philadelphia, PA 19127	Manayunk Canal/Schuylkill River 3F Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Pottstown Borough Montgomery County	PAR210027	Hanson Pipe and Products Pottstown, Inc. P. O. Box 955 Bldg. 1A Pottstown, PA 19464	Schuylkill River 3D Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
London Grove Township Chester County	PAR500001	Southeastern Chester County Refuse Authority (SECCRA) 219 Street Rd. West Grove, PA 19390	Chatham Run 3I Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

NOTICES

5923

*Facility Location:
Municipality &
County*

Williams Township
Northampton County

Permit No.
PAR502202

Applicant Name & Address
Chrin Brothers, Inc.
635 Industrial Drive
Easton, PA 18042

Receiving Water/Use
Lehigh River
WWF

*Contact Office &
Phone No.*
DEP—NERO
Water Mgmt.
Program
2 Public Square
Wilkes-Barre, PA
18711-2511
(570) 826-2511

Lycoming County
City of Williamsport

PAR234803

Lonza, Inc.
90 Boroline Road
Allendale, NJ 07401

Daugherty Run
(WWF)

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

Armstrong Township
Lycoming County

PAR804814

Gulf Oil Limited Partnership
90 Everett Avenue
Chelsea, MA 02150-2337

Storm Drain To West
Branch
Susquehanna River
WWF

Water Management
Program Manager
208 West Third
Street
Williamsport, PA
17701
570 327 3664

Muncy Borough
Lycoming County

PAR114801

Andritz Sprout-Bauer Inc.
35 Sherman Street
Muncy, PA 17756-1202

Storm Sewer To
West Branch
Susquehanna River
WWF

Water Management
Program Manager
208 West Third
Street
Williamsport, PA
17701
(570) 327 3664

Adams Township
Butler County

PAR808316

Vogel Disposal Services, Inc.
P. O. Box 1080
Mars, PA 16046

Breakneck Creek

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

General Permit Type—PAG-4

*Facility Location &
Municipality*

Berks County
Cumru Township

Permit No.
PAG043517

Applicant Name & Address
Fred Savage
8 Hessian Blvd.
Reading, PA 19607

Receiving Water/Use
UNT Schuylkill
River
WWF

*Contact Office &
Phone No.*
DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707

Franklin County
Letterkenny
Township

PAG043584

Sean White
8835 Iron Bridge Road
Chambersburg, PA 17201

UNT to Lehman Run
WWF

DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707

Franklin County
Guilford Township

PAG043851

Samuel and Becky Mull
5159 Molly Pitcher Highway
Chambersburg, PA 17201

Conococheague
Creek
WWF

DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bradford Township Clearfield County	PAG045222	John and Barbara Buck 1310 Pleasant Valley Road Woodland, PA 16881	Millstone Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Bradford Township Clearfield County	PAG045224	James B. Davis 5574 Clearfield Woodland Hwy. Clearfield, PA 16830	Roaring Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Montour County Liberty Township	PAG045220	William and Connie Knauer 20 Keefer Mill Lane Danville, PA 17821	UNT to Chillisquaque Creek (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

General Permit Type—PAG-5

*Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>	
Sandycreek Township Venango County	PAG058373	Department of Transportation District 1-5 Venango County 1460 Pittsburgh Road Franklin, PA 16323	Morrison Run 16-E	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-6

*Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>	
Easton City Northampton County	PAG062201	City of Easton One South Third Street Easton, PA 18042	Delaware River WWF and MF Lehigh River WWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
North Braddock Borough Allegheny County	PAG066114	Borough of North Braddock 600 Anderson Street North Braddock, PA 15104	Turtle Creek and Monongahela 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

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

Permit No. 3130043, Public Water Supply.
 Applicant **Jim Thorpe Borough**
 Jim Thorpe Borough
 Responsible Official William Maurer, President
 Jim Thorpe Borough Council
 Jim Thorpe Borough
 421 North Street
 Jim Thorpe, PA 18229-2528
 Type of Facility PWS
 Consulting Engineer Michael Daschbach, PE
 Entech Engineering, Inc.
 P. O. Box 32
 Reading, PA 19603
 Permit Issuance Date September 6, 2006

Description of Action Partial Operations Permit for PWS facilities constructed under Minor Permit Amendment issued April 20, 2005. These PWS facilities included the North Street Waterline Replacement Project located on the East side of the Borough of Jim Thorpe.
Permit No. 2400026, Public Water Supply.
 Applicant **The Pennsylvania State University**
 Lehman Township
Luzerne County
 Responsible Official John W. Gaudlip, P. E.
 Pennsylvania State University
 113 Office of Physical Plant
 University Park, PA 16802-1118
 Type of Facility PWS
 Consulting Engineer John W. Gaudlip, P. E.
 Pennsylvania State University
 113 Office of Physical Plant
 University Park, PA 16802-1118
 Permit Issuance Date August 31, 2006
 Description of Action Operations permit designating optimal corrosion control water quality performance requirements.

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

Permit No. 6706513 MA, Minor Amendment, Public Water Supply.
 Applicant **Dover Township**
 Municipality Dover Township
 County **York**
 Type of Facility Interior painting of the Sky Top finished water storage tank.
 Consulting Engineer Kirt L. Ervin
 US Engineering LLC
 4 Sunrise Court
 Highland, IL 62249
 Permit to Construct Issued: 9/7/2006

Permit No. 5006503 MA, Minor Amendment, Public Water Supply.
 Applicant **Borough of Duncannon**
 Municipality Duncannon Borough
 County **Perry**
 Type of Facility Addition of corrosion control treatment for lead and copper at each of their well sources.
 Consulting Engineer Harry E. Bingaman, P. E.
 Glace Assoc., Inc.
 3705 Trindle Rd.
 Camp Hill, PA 17011
 Permit to Construct Issued: 9/8/2006

Permit No. 6706512 MA, Minor Amendment, Public Water Supply.

Applicant	Dover Township
Municipality	Dover Township
County	York
Type of Facility	Interior painting of the Admire elevated finished water storage tank.
Consulting Engineer	Kirt L Ervin US Engineering, LLC 4 Sunrise Court Highland, IL 62249
Permit to Construct Issued:	9/5/2006

Operations Permit issued to United Water Pennsylvania, 7220015, Susquahanna Township, Dauphin County on 9/6/2006 for the operation of facilities approved under Construction Permit No. 2204505 MA.

Operations Permit issued to Muhlenberg Township Authority, 3060038, Muhlenberg Township, Berks County on 8/30/2006 for the operation of facilities approved under Construction Permit No. 0605504.

Operations Permit issued to Pennsylvania-American Water Company, 3060069, Wyomissing Borough, Berks County on 9/8/2006 for the operation of facilities approved under Construction Permit No. 0605503 MA.

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

Permit No. 0206504MA, Public Water Supply.

Applicant	Municipal Authority of the Township of Robinson P. O. Box 15539 Pittsburgh, PA 15244
Borough or Township	Robinson Township
County	Allegheny
Type of Facility	Route 60 water storage tank
Consulting Engineer	NIRA Consulting Engineers Inc. 950 Fifth Avenue Coraopolis PA 15108
Permit to Construct Issued	August 22, 2006

Operations Permit issued to Indian Creek Valley Water Authority, P. O. Box 486, 2086 Indian Head Road, Indian Head, PA 15446(PWS ID 5260011) Saltlick Township, Fayette County on September 6, 2006, for the operation of facilities approved under Construction Permit No. 2605503.

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

Operations Permit issued to Pennsylvania American Water Company, 852 Wesley Drive, Mechanicsburg PA 17055-44752, PWS ID 65100012, Butler Township, Butler County. Permit Number 1069502-MA3, issued September 12, 2006, for the operation of Southern Hills Tank, following rehabilitation and repainting, as permitted under construction permit issued December 27, 2005.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
McKean Township	9231 Edinboro Road McKean, PA 16426	Erie

Plan Description: The approved plan provides for the elimination of the Georgetown Heights lagoon system by conveying flows from the lagoons to the Township's West Road WWTP.

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:

Borough or Township	Borough or Township Address	County
Punxsutawney Borough	301 East Mahoning Street Punxsutawney, PA 15767	Jefferson

Plan Description: The approved plan provides for treatment plant improvements to obtain Department approval for a hydraulic re-rating from 1.6 mgd to 2.4 mgd. It also addressed steps needed to resolve basement flooding in a section of the collection system and future sewer extensions within areas of the Borough.

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.

PECO Conshohocken MGP, Conshohocken Borough, **Montgomery County**. Keith Kowalski, URS Corp., 335 Commerce Dr., Suite 300, Ft. Washington, PA 19034 on behalf of Scott Backer, O'Neill Prop., Group, 700 S. Henderson Rd., Suite 101, King of Prussia, PA 19406 has submitted a Final Report concerning remediation of site groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site-Specific Standard.

863 Easton Partners LP, Warrington Township, Bucks County. Terrence J. McKenna, P. E., Keating Env., Mgmt, Inc., 123 John Robert Thomas Dr., Exton, PA 19341 on behalf of Philip Hinerman, Esq., Fox Rothschild, LLP, 2000 Market St., 10th Fl., Philadelphia, PA 19103 has submitted a Remedial Investigation Report and Final Report concerning remediation of site soil and groundwater contaminated with PAHs, chlorinated solvents and gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site-Specific Standard.

Heintz Corp., Prop., Parcel B, City of Philadelphia, Philadelphia County. Steven Coe, Brown Env., Service Corp., 312 S. State Street, Suite, N102, Newtown, PA 18940 has submitted a Remedial Investigation and Risk Assessment Report concerning remediation of site soil and groundwater contaminated with petroleum and chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site-Specific Standard.

Frankford Clnrs., City of Philadelphia, Philadelphia County. Peter Granholm, Apex Companies, LLC, 15850 Crabbs Branch Way, Suite, 200, Rockville, MD 20855 on behalf of Eric Silvers, USRP I, LLC, 121 W. Forsthy St., Suite 200, Jacksonville, FL 32202 has submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Laser Labs, City of Philadelphia, Philadelphia County. Richard Werner, P. G., Env., Consulting, Inc., 500 E. Washington St., Norristown, PA 19401 on behalf of Tilak Singh, Sant Prop., 380 Red Lion Rd., Huntingdon

Valley, PA 19006 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Spanglers Flour Mill, Mt. Joy Borough, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543, on behalf of Spanglers Flour Mill, 19 North Market Street, Mount Joy, PA 17552, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to the residential Statewide Health Standard. The report was submitted within 90 days of the diesel fuel release.

Stark Farm/The Villages at Orchard Hills, Southampton Township, **Cumberland County**. RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, on behalf of Stark Southampton 145 LLC, Pond Road Center, 4345 Route 9, Suite 28, Freehold, NJ 07728, submitted a remedial investigation report, risk assessment report and a cleanup plan concerning remediation of site soils contaminated with arsenic and pesticides. The applicant intends to remediate the site to both the Statewide Health and Site-Specific Standards.

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

Tim Gundlach Property, Franklin Township, **Columbia County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110 on behalf of Tim Gundlach, 107 Orchard Road, Catawissa, PA 17820 has submitted a Final Report concerning remediation of site soil contaminated with benzene and naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

R. W. Reichart Trucking Service Diesel Fuel Spill, Worth Township, **Centre County**. Taylor GeoServices, Inc. 938 Lincoln Ave., Suite 203, Springfield, PA 19064, on behalf of Richard W. Reichart Trucking Service, 7616 State St., Quincy, IL 62305, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. 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.

Weis Markets Property, Mifflinburg Borough, **Union County**. Mountain Research, LLC, 825 25th St, Altoona, PA 16601 on behalf of Weis Markets, 1000 South 2nd St., Sunbury, PA 17801 has submitted a Final Report concerning remediation of site soil contaminated with Lead, Benzene, Toluene, Ethylbenzene, Xylenes, Phenanthrene and Naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Schlow Centre Region Library, State College Borough, **Centre County**. Converse Consultants, 2738 W. College Avenue, State College, PA 16801 on behalf of Schlow Centre Region Library, 223 S. Allen St., State College, PA 16801 has submitted a Final Report concerning remediation of site soil contaminated with PCE fluid. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Vy Cal Plastics, Upper Merion Township, **Montgomery County**, Craig Herr, RT Env., Svc., Inc., 215 W. Church Rd., King of Prussia, PA 19406 has submitted a

Final Report concerning the remediation of site soil contaminated with metals, VOCs and lead. The Final Report demonstrated attainment of the Site Specific Standard and was approved by the Department on August 22, 2006.

Dial Corp., Bristol Borough, **Bucks County**. Michael Christie, Penn Env., & Remediation, Inc., 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Kevin Traynor, Island View Crossing I, LP, 1001 E. Hector St., Suite 100, Conshohocken, PA 19428 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX, PAH's and solvents. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 22, 2006.

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

Kohler Well Drilling, Hellam Borough, **York County**. GemChem, Inc. 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543, on behalf of Eichelbergers, Inc., 107 Texaco Road, Mechanicsburg, PA 17050, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The Final Report was submitted within 90 days of the release, and it demonstrated attainment of the residential Statewide Health Standard, and was approved by the Department on September 5, 2006.

Former 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. The plan was approved by the Department on September 5, 2006.

Fort Indiantown Gap National Guard Training Center, Building 0-11 (formerly Building 11-9), Union Township, **Lebanon County**. Weston Solutions, Inc., 1400 Weston Way, West Chester, PA 19380, on behalf of Pennsylvania Army National Guard, Department of Military and Veterans Affairs, Environmental Division, Fort Indiantown Gap National Guard Training Center, Building 11-19, Annville, PA 17003, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with lead. The Final Report demonstrated attainment of the residential Statewide Health Standard and was approved by the Department on September 5, 2006.

AIR QUALITY

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

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

GP-43-345: Vista Resources—Fairview Compressor Station (2051A Perry Highway, Fredonia, PA 15241) on September 6, 2006, for a natural gas fired compressor engine in the Fairview Township, **Mercer County**.

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

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

48-313-099: Praxair Distribution, Inc. (145 Shimersville Road, Bethlehem, PA 18015) on September 5, 2006, to reactivate the base gas cylinder purging system and associated air cleaning device in the City of Bethlehem, **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, Blue Ridge Summit, PA 17214-0914) on September 7, 2006, to replace dust collectors in Hamiltonban Township, **Adams County**. Existing sources will be controlled by the use of two new fabric filter baghouses.

06-05007C: Carpenter Technology Corp. (P. O. Box 14662, Reading, PA 19612-4662) on September 5, 2006, to modify a melt shop at their facility in the City of Reading, **Berks 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 and M Royalty, Ltd. (Route 146, Smethport, PA 16749) on September 5, 2006, to construct/modify a natural gas stripping operation in the Township of Sergeant, **McKean County**.

42-213A: M and M Royalty, Ltd. (Route 155, Port Allegheny, PA 16743) on September 6, 2006, to construct/modify a natural gas stripping operation in the Township of Liberty, **McKean County**.

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

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

15-0090A: National Service Industries (1420 Peachtree Street NE, Atlanta, GA 30309) on September 5, 2006, to operate a flexographic and offset press in Uwchlan Township, **Chester County**.

46-0112: Palmer International, Inc. (P. O. Box 315, Skippack, PA 19474) on September 5, 2006, to operate a thermal oxidizer in Skippack Township, **Montgomery County**.

46-0112B: Palmer International, Inc. (P. O. Box 315, Skippack, PA 19474) on September 5, 2006, to operate a thermal oxidizer in Skippack Township, **Montgomery County**.

46-0005Y: Merck and Co., Inc. (Sumneytown Pike, P. O. Box WP20, West Point, PA 19486) on September 5, 2006, to operate an alternate operating scenario of the pharmaceutical manufacturing processes in building 69, in Upper Gwynedd Township, **Montgomery County**.

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

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

42-00004: American Refining Group, Inc. (77 North Kendall Avenue, Bradford, PA 16701) on September 1, 2006, to re-issue a Title V Operating Permit to operate a petroleum products processing facility in the City of Bradford, **McKean County**.

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.

28-03043: CAM Superline, Inc. (4763 Zane A. Miller Drive, Waynesboro, PA 17268-8667) on September 7, 2006, to construct one spray paint booth controlled by dry panel filters in Washington Township, **Franklin County**. This operating permit was administratively amended to incorporate Plan Approval 28-03043A. This is revision No. 1.

67-03083: Utz Quality Foods, Inc. (900 High Street, Hanover, PA 17331-1639) on September 5, 2006, to operate their snack food manufacturing facility in Hanover Borough, **York County**. This operating permit was administratively amended to incorporate Plan Approval 67-03083A. This is revision No. 1.

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

24-00135: National Fuel Gas Supply Corporation—Island Run Compressor Station (Monroe Road, St. Marys, PA 15857) on September 1, 2006, to re-issue Synthetic Minor Operating Permit to operate a natural gas compressor station in Ridgeway Township, **Elk County**.

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

S05-012: Temple University Hospital Episcopal Campus (100 East Lehigh Avenue, Philadelphia, PA 19125) on September 6, 2006, to operate a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes a two 475 HP boilers, two 450 kW emergency generator, one 175 kW emergency generator, and one 15 kW emergency generator.

V06-004: Philadelphian Condominiums (2401 Pennsylvania Avenue, Philadelphia, PA 19130) on September 7, 2006, to operate a condominium in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include a 2200Hp engine, two 600 Hp Boilers, and two 200 Hp boilers.

N06-001: Roto-Die Company, Inc. (2850 Comly Road, Philadelphia, PA 19154) on September 6, 2006, to repair rotary dies which are utilized by the printing industry, consisting of cleaning, grinding, sharpening, testing, chrome stripping and chrome plating in the City of Philadelphia, **Philadelphia County**. The facility's air

emission sources include a hard chromium electroplating system/stripping process consisting of one strip tank and one plating tank with a capacity of 750 amp hrs/hr each, controlled by an air pollution control system consisting of a Pre-Filter Mist Eliminator, Enforcer III Composite Mesh-Pad System, and HEPA filters.

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

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

15-00067: Herr Foods, Inc. (273 Old Baltimore Pike, Nottingham, PA 19362) on September 8, 2006, for a non-Title V (State-only) facility; Synthetic Minor for NOx emissions in West Nottingham Township, **Chester County**. Administrative Amendment of the State-only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amendment incorporates terms and conditions from plan approval PA-15-0067D, which includes four additional batch kettle fryers for Source ID 132 Potato Chip Line No. 4. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

63-00016: Allegheny Energy Supply Co., LLC (800 Cabin Hill Drive, Greensburg, PA 15601) on September 7, 2006, for a minor permit modification to the Title V Operating Permit for Mitchell Station in South Bend Township, **Armstrong County**. Compliance with the allowable particulate emission limit of 0.1 pound per mmBtu for No. 2 oil-fired Unit Nos. 1—3 will be demonstrated using material balance calculations instead of stack testing Mitchell Generating Station. These are not coal-fired units; they only fire No. 2 fuel oil. There will be no change in emissions resulting from this Minor Permit Modification.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

Permit No. 4074SM28 and NPDES Permit No. PA0599123. PBS Coals, Inc., (P. O. Box 260, Friedens, PA 15541). Renewal of NPDES Permit, Summit Township, **Somerset County**. Receiving streams: UNTs to Bigby Creek; to Bigby Creek; to the Casselman River classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 19, 2006. Permit issued: September 6, 2006.

3366BSM2 and NPDES Permit No. PA0249998, PBS Coals, Inc., (P. O. Box 260, Friedens, PA 15541). Renewal of NPDES Permit, Stonycreek Township, **Somerset County**. Receiving streams: UNTs of Stonycreek classified for the following use: CWF. There is no potable water supply. Permit issued: September 6, 2006.

4274SM5 and NPDES Permit No. PA0262218. New Enterprise Stone & Lime Company, Inc., (P. O. Box 77, New Enterprise, PA 16664-0077). Renewal of NPDES Permit, Broadtop Township, **Bedford County**. Receiving stream: UNT to Six Mile Run classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is Saxton Municipal Water Authority. Application received July 7, 2006. Permit issued: September 6, 2006.

32810135 and NPDES Permit No. PA0607606. North Cambria Fuel Company (175 McKnight Road, Blairsville, PA 15717). Renewal of NPDES Permit, West Wheatfield Township, **Indiana County**. Receiving stream: UNT to Blacklick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received July 11, 2006. Permit issued: September 6, 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. Permit issued: September 6, 2006.

11960105 and NPDES No. PA0234141. E. P. Bender Coal Company, Inc., (P. O. Box 594, Carrolltown, PA 15722). Permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Reade and Beccaria Townships, **Cambria and Clearfield Counties**, affecting 474.0 acres. Receiving streams: Turner Run and Clear Creek, Clearfield Creek classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received April 27, 2006. Permit issued: September 1, 2006.

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

65060102 and NPDES Permit No. PA0250864. Coal Loaders, Inc. (210 E. Main St., P. O. Box 556, Ligonier, PA 15658). Permit issued for commencement, operation and reclamation of a bituminous surface mining site

located in Fairfield Township, **Westmoreland County**, affecting 85.5 acres. Receiving streams: UNTs to Hannas Run and Hypocrite Creek. Application received: February 21, 2006. Permit issued: September 5, 2006.

30940102 and NPDES Permit No. PA0200930. Shafer Bros. Construction, Inc. (668 Lower Hildebrand Road, Morgantown, WV 26501). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Greene Township, **Greene County**, affecting 25.5 acres. Receiving streams: UNT to Whiteley Creek. Application received: May 26, 2006. Reclamation only renewal issued: September 6, 2006.

30793024-03 and NPDES Permit No. PA0117650. Beazer East, Inc. (c/o Three Rivers Management, Inc., One Oxford Centre, Suite 3000, Pittsburgh, PA 15219). Permit renewal issued for continued operation and reclamation of a bituminous surface mining site located in Morgan Township, **Greene County**, affecting 327.7 acres. Receiving streams: UNTs to South Fork Ten Mile Creek, South Fork Ten Mile Creek, to Ten Mile Creek. Application received: October 26, 2005. Renewal issued: September 6, 2006.

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

16960109 and NPDES Permit No. PA0227323. Milestone Crushed, Inc., (P. O. Box 65, Emlenton, PA 16373). Renewal of an existing bituminous strip operation in Perry Township, **Jefferson County** affecting 52.6 acres. Receiving streams: UNT to Dunlap Creek and Dunlap Creek. Application received: July 19, 2006. Permit Issued: September 6, 2006.

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

17040101 and NPDES Permit No. PA0243787. Forcey Coal, Inc., (P. O. Box 225, Madera, PA 16661). Commencement, operation, and restoration of a bituminous surface mine located in Jordan Township, **Clearfield County**, affecting 133.2 acres. Receiving streams: UNTs Nos. 1 and 3 to Potts Run, classified for the following use: CWF. Application received: July 22, 2004. Permit issued: August 31, 2006.

Noncoal Permits Actions

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

20030804. Charles E. Irwin (23703 State Highway 285, Cochranon, PA 16314). Final bond release for a small noncoal mining operation in Fairfield Township, **Crawford County**. Restoration of 1.0 acre completed. Receiving streams: Wymans Run to French Creek. Application received July 17, 2006. Final bond release approved: August 29, 2006.

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

58060838. R & M Stone, (R. R. 5, Box 206 N., Montrose, PA 18801). Commencement, operation and restoration of a quarry operation in Forest Lake Township, **Susquehanna County** affecting 3.0 acres. Receiving stream: none. Application received May 15, 2006. Permit issued: September 7, 2006.

58060844. Kevin W. Ralston, (R. R. 2, Box 41 A, New Milford, PA 18834). Commencement, operation and restoration of a quarry operation in Gibson Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: none. Application received June 5, 2006. Permit issued: September 6, 2006.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (73 P.S. §§ 151–161) and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

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

02064008. Hawk Site Development, Inc. (61 Arch Street, Carnegie, PA 15106). Blasting activity permit for construction of retail stores located in Harrison Township, **Allegheny County**, with an expected duration of one year. Permit issued: September 7, 2006.

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

21064174. T. J. Angelozzi, Inc. (7845 Kabik Court, Woodbine, MD 21797-9149). Construction blasting at Dickinson College in Carlisle Borough, **Cumberland County** with an expiration date of August 24, 2007. Permit issued: August 31, 2006.

35064114. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Construction blasting at John Roba Tree Farm in Scott Township, **Lackawanna County** with an expiration date of September 1, 2007. Permit issued: August 31, 2006.

35064115. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Construction blasting at Harmon Hills Development in Moscow Borough, **Lackawanna County** with an expiration date of September 30, 2007. Permit issued: August 31, 2006.

35064116. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Construction blasting at Mt. Margaret Estates in Dunmore Borough, **Lackawanna County** with an expiration date of September 30, 2007. Permit issued: August 31, 2006.

35064117. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Construction blasting at Montage Business Park in Moosic Borough, **Lackawanna County** with an expiration date of September 30, 2007. Permit issued: August 31, 2006.

45064157. Silver Valley Drilling & Blasting (R. R. 4 Box 4196, Saylorsburg, PA 18353-9514). Construction blasting at Fairways Village in Middle Smithfield Township, **Monroe County** with an expiration date of August 28, 2007. Permit issued: August 31, 2006.

45064158. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Construction blasting at Cobble Creek Estates in Pocono Township, **Monroe County** with an expiration date of September 30, 2007. Permit issued: August 31, 2006.

52064128. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Construction blasting at Highland Estates in Lehman Township, **Pike County** with an expiration date of September 28, 2007. Permit issued August 31, 2006.

52064129. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Construction blasting at Pocono Mountain Lake Forest Development in Delaware Township, **Pike County** with an expiration date of September 30, 2006. Permit issued: August 31, 2006.

52064130. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Construction blasting at Log Tavern Estates in Dingman Township, **Pike County** with an expiration date of October 31, 2007. Permit issued: August 31, 2006.

21064170. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting at the Jason Haycock Manure Pit Project in Southampton Township, **Cumberland County** with an expiration date of November 30, 2006. Permit issued: September 1, 2006.

21064175. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866). Construction blasting at Walnut Point Development in Silver Spring Township, **Cumberland County** with an expiration date of August 31, 2007. Permit issued: September 1, 2006.

36064186. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting at the Elam Hurst Project in East Earl Township, **Lancaster County** with an expiration date of November 30, 2006. Permit issued: September 1, 2006.

36064187. Warrens Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507). Construction blasting at Watson Run Development in Leacock Township, **Lancaster County** with an expiration date of August 29, 2007. Permit issued: September 1, 2006.

67064133. J. Roy's, Inc. (P. O. Box 125, Bowmansville, PA 17507). Construction blasting at Yorktowne Center in Springettsbury Township, **York County** with an expiration date of September 1, 2007. Permit issued: September 1, 2006.

06064131. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033). Construction blasting for Fairview Park in Exeter Township, **Berks County** with an expiration date of September 30, 2007. Permit issued: September 5, 2006.

06064132. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033). Construction blasting for Ruby Tuesday in Exeter Township, **Berks County** with an expiration date of September 30, 2007. Permit issued: September 5, 2006.

46064128. J. Roy's, Inc. (P. O. Box 125, Bowmansville, PA 17507). Construction blasting New Hanover Water Tank in New Hanover Township, **Montgomery County** with an expiration date of September 1, 2007. Permit issued: September 5, 2006.

46064129. Brubacher Excavating, Inc. (P. O. Box 528, Bowmansville, PA 17507). Construction blasting for a single dwelling in Pottstown Borough, **Montgomery County** with an expiration date of December 31, 2006. Permit issued: September 5, 2006.

28064008. Rogele, Inc. (1025 South 21st Street, Harrisburg, PA 17104). Construction blasting for the Greencastle Area Water Authority Water Main Extensions and Replacements in Antrim Township, **Franklin County** with an expiration date of September 30, 2006. Permit issued: September 6, 2006.

22064125. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866). Construction blasting for Penn National Casino in East Hanover Township, **Dauphin County** with an expiration date of August 30, 2007. Permit issued: September 7, 2006.

06064133. Horst Drilling & Blasting, Inc. (141 Ranck's Church Road, New Holland, PA 17557). Construction blasting for Briarcrest in Caernarvon Township, **Berks County** with an expiration date of September 8, 2007. Permit issued: September 8, 2006.

36064133. Brubacher Excavating, Inc. (P. O. Box 528, Bowmansville, PA 17507). Construction blasting for Village Grande in East Hempfield Township, **Lancaster County** with an expiration date of December 31, 2007. Permit issued: September 8, 2006.

38064127. Kesco, Inc. (127 Oneida Valley Road, Butler, PA 16001). Construction blasting for Wheatland Manor in Jackson Township, **Lebanon County** with an expiration date of December 30, 2007. Permit issued: September 8, 2006.

46064130. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092). Construction blasting for Belle Vista Golf Community in New Hanover Township, **Montgomery County** with an expiration date of October 31, 2007. Permit issued: September 8, 2006.

46064131. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092). Construction blasting for Meadow Glen in Skipack Township, **Montgomery County** with an expiration date of December 29, 2007. Permit issued: September 8, 2006.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-727. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Wallace Township, Chester County, ACOE Philadelphia District.

To remove the existing timber beam bridge and to construct and maintain, in its place, a reinforced concrete box culvert across the North Branch of Indian Run (HQ-CWF). The proposed culvert will have a clear span of 18.0 feet and a minimum underclearance of approximately 4.0 feet. The proposed culvert will be depressed an additional 1-foot below the streambed to provide for fish passage. This work also includes placement and maintenance of associated riprap protection at the existing outfall pipe, and temporary sand bag cofferdam. The site is located just southwest of the intersection of Springton Road (SR 4021) and Indiantown Road (SR 4023) (Wagontown, PA, USGS Quadrangle N: 14.0 inches; W: 4.4 inches).

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

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

08-435: Water Obstruction and Encroachment. Calvin C. Cole, Inc., 809 North Elmira Street, Sayre, PA. 18840. Athens Township, **Bradford County**. United States Army Corps of Engineers, Baltimore District. (Sayre, PA 7.5' Quadrangle N: 8.7"; W: 3.8") Athens Township, **Bradford County**.

To place and maintain fill in 2.616 acres of a palustrine emergent wetland system and to place and maintain fill in 0.437 acre of an open water system for the purpose of consolidating business and administrative operations. Replacement wetlands are proposed. The site is located approximately 0.2 mile south of the SR 220 and T-811 (Macaffe Road) intersection, on the west side of SR 220.

This project was originally submitted under permit application E08-414 but was eventually withdrawn.

E17-418. Harold Leach, R. R. 1, DuBois, PA 15801. Fontana & Fontana, Inc., Townhouse Development, in Sandy Township, **Clearfield County**, ACOE Pittsburgh District (Luthersburg, PA Quadrangle N: 20.1 inches; W: 14.9 inches).

To modify, operate and maintain an existing stream enclosure of a UNT to Sandy Lick Creek and to place and maintain fill in 0.10-acres of wetland associated with the UNT to Sandy Lick Creek for the development residential townhouses. Modifications to the stream enclosure begin at a location along the southern right-of-way of Walnut Street and terminate at a wetland replacement area along the northeastern right-of-way of Wood Street. Both the existing and modified sections of the stream enclosure shall be operated and maintained to pass the 100-year frequency flood without any temporary or permanent impact to the remaining 0.28 acre of wetland located within the townhouse project. The public road crossing to carry Wood Street over Wetland B shall be constructed with at least two corrugated plastic pipes having a minimum diameter of 12-inches, clean 206 rock, and all overlaid on Class 4 geotextile. The project is located along southern right-of-way of SR 4014 approximately 350-feet southwest of SR 4017 and SR4014 intersection. By permanently impacting 0.10 acre of wetland, the permittee agrees to mitigate the permanently impacted wetlands with 0.10 acre of onsite replacement wetlands, while ensuring the permanent protection of 0.28 acre of onsite wetlands and UNT stream corridor. Construction of the onsite replacement wetland shall commence prior to or concurrent with the placement of fill authorized by this permit.

E57-108. Muncy Creek Watershed Association, P. O. Box 47 Muncy PA 17756. Muncy Creek Project, Nordmont to Sonestown, in LaPorte and Davidson Townships, **Sullivan County**, ACOE Baltimore District (Grove, PA Quadrangle N: 22.5 inches; W: 15 inches).

To construct, operate and maintain a 4.9-mile stream restoration project consisting of several types of rock structures. This reach will be constructed in 12 different phases. Phases are labeled as Sections 9—20 descending downstream. Structures presented in the following table by location shall be constructed in accordance with the plans and specifications

<i>Cross Vanes</i>		<i>J-Hooks</i>		<i>Straight Vanes</i>		
<i>Station</i>	<i>Station</i>	<i>Station</i>	<i>Station</i>	<i>Station</i>	<i>Station</i>	<i>Station</i>
242+37	376+04	246+34	377+54	243+56	338+44	441+46
247+40	385+83	278+43	387+06	279+43	348+98	446+57
272+43	392+22	286+32	429+59	283+23	360+57	457+40
284+74	421+78	294+44	437+05	291+56	371+43	460+65
290+44	426+84	302+53	443+13	295+29	373+58	463+65
297+93	447+88	313+45	459+15	301+43	379+54	464+98
306+34	456+15	331+44	473+77	305+44	380+75	477+13
325+95	467+40	351+99	482+55	312+45	390+83	478+13

<i>Cross Vanes</i>		<i>J-Hooks</i>		<i>Straight Vanes</i>		
<i>Station</i>	<i>Station</i>	<i>Station</i>	<i>Station</i>	<i>Station</i>	<i>Station</i>	<i>Station</i>
337+02	472+65	361+97	496+23	329+19	423+18	483+63
347+66	481+13			332+76	434+06	485+56
354+43	488+40			333+99	438+55	
363+16	493+05					
368+67	498+17					

The minimum rock sizes for the project are required to be equivalent to 3.9 feet by 3.4 feet by 2.3 feet. Construction is authorized within the phasing sequence submitted unless otherwise authorized by the Department of Environmental Protection.

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

E11-317. John Murtha, Johnstown Cambria County Airport, 479 Airport Road, Suite 1, Johnstown, PA 15904. To fill wetlands in Richland Township, **Cambria County**, Pittsburgh ACOE District. (Geistown, PA Quadrangle N: 11.7 inches; W: 11.8 inches and Latitude: 40° 18' 58"—Longitude: 78° 50' 2"). To place fill in 0.19 acre of wetlands in the watershed of a UNT to Solomons Run (WWF) for the purpose of developing a 19 acre parcel at the Airport for the construction of storage facilities for military equipment. This project will also impact 661 linear feet of a UNT to Solomons Run (WWF) with a drainage area under 100 acres, and temporarily impact 0.10 acre of wetlands. To compensate for the wetland impacts the applicant has made a contribution to the Wetland Replacement Fund.

E26-335. Department of Transportation, Engineering District 12-0, P. O. Box 459 Uniontown, PA 15401. To construct a culvert and stream relocation with wetland fills in Luzerne Township, **Fayette County**, Pittsburgh ACOE District. (Project begins: Carmichaels, PA Quadrangle N: 16.9 inches; W: 5.4 inches and Latitude: 39° 57' 51"—Longitude: 79° 54' 30" and ends at Carmichaels, PA Quadrangle N: 19.2 inches; W: 4.5 inches and Latitude: 39° 58' 12"—Longitude: 79° 54' 30"). To construct and maintain a 150 LF long stream relocation in Cox Run (WWF) with a drainage area of 1.52 square miles. To construct and maintain a 84 LF, 48 inch diameter concrete culvert; to construct and maintain 140 LF of adjoining stream relocation; and fill and maintain 0.03 acre of de minimus PEM wetland located in a UNT to Cox Run with a drainage area of less than 100 acres. This project is associated with the widening and improvements to a 3.2 mile long section of SR 4003 located and centered approximately 5 miles southwest of Brownsville, PA.

E30-085. Wellington Development—WVDT, LLC, 1620 Locast Avenue, Fairmont, WV 26554. To construct a pipe stream enclosure and other activities in Cumberland Township, **Greene County**, Pittsburgh ACOE District. (Carmichaels, PA Quadrangle N: 1.34 inches; W: 5.82 inches and Latitude: 39° 52' 22.67"—Longitude: 79° 54' 59.49"). To amend permit number E30-085 issued April 3, 1986 to construct and maintain the following activities for the purpose of developing the Greene Energy Resource Recovery Project located approximately 1.3 km north of the Town of Nemaquin. This permit also incorporates Permit No. E30-005 into E30-085.

1. A 390-foot long, 102-inch diameter pipe stream enclosure in the channel and along Pegs Run (WWF) under the proposed haul road with a 450-foot long channel relocation.

2. A 271-foot long 72-inch diameter pipe stream enclosure in the channel of Warren Run (WWF) under the proposed haul road.

3. A 900-foot long, 90-inch diameter pipe enclosure in a UNT to the Monongahela River (WWF) at the outlet of an existing pond under the proposed haul road.

4. Impact two UNTs to the Monongahela River (WWF) (labeled UNT 1 and UNT 2) with drainage area less than 100 acres. The UNT 2 will be enclosed in a 12-inch diameter pipe for a length of 1,000 feet.

5. Impact 0.02 acre PEM wetland by the proposed haul road.

6. A transmission line crosses over the Monongahela River (WWF) in Greene County and over Browns Run in German Township, Fayette County.

7. Modify the existing raw water intake at river mile 76.6 Monongahela River.

8. Construct a discharge valve box and 14-inch pipe outfall along the Monongahela River at river mile 75.8.

9. Rehabilitate and expand the existing barge facility along the left bank of the Monongahela River between river miles 76.20 and 76.67.

10. Removal of 4 mooring cells and construction of 13 mooring cells in and along left bank of the Monongahela River between river miles 76.20 and 76.67.

E32-475. Amfire Mining Company, LLC, One Energy Place, Latrobe, PA 15650-9628. To construct a bridge in Buffington Township, **Indiana County**, Pittsburgh ACOE District (Strongstown, PA Quadrangle N: 9.79 inches; W: 14.51 inches and Latitude: 40° 33' 14"—Longitude: 78° 58' 46"). To construct and maintain a bridge having a normal clear span of 123.58 feet and an underclearance of 10.18 feet across Little Yellow Creek (HQ-CWF) located on Factory Hollow Road (T-874 and T-875).

ENVIRONMENTAL ASSESSMENTS

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

EA0309-001. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Redbank Township, **Armstrong County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 1,600 linear feet of dangerous highwall. The project will include the backfilling of 0.2 acre of PEM wetland that has developed within the open surface mine pit. A replacement wetland of 0.2 acre will be constructed with the project. (Distant Quadrangle N: 15 inches, W: 1.5 inches).

EA1009-005. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Cherry Township, Butler County, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 1,600 linear feet of dangerous highwall. The project will include the backfilling of 0.516 acre of PEM wetland that has developed within the open surface mine pits. 0.62 acre of replacement wetlands will be constructed with the project. (Eau Claire Quadrangle N: 5.2 inches, W: 6.5 inches).

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

D46-114EA. David Froehlich, Executive Director, Wissahickon Valley Watershed Association, 12 Morris Road, Ambler, PA 19002, Upper Dublin Township, Montgomery County, ACOE Philadelphia District.

Project proposes to breach and remove K & M Dam across Wissahickon Creek (TSF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 200 feet of stream channel. The dam is located approximately 1,200 feet Northeast of the intersection of West Butler Pike and Morris Road (SR 2001) (Ambler PA Quadrangle N: 5.1 inches; W: 14.55 inches).

SPECIAL NOTICES

Reclamation of Abandoned Strip Mine

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

Under Act 181 of 1984, the Department of Environmental Protection (Department) solicits letters of interest from the landowners and licensed mine operators for the reclamation of the following abandoned strip mine project:

<i>Project No.</i>	<i>Municipality</i>	<i>County</i>	<i>Acres</i>
PBF16820703.1	Clarion Township	Clarion	18.0

Glacial Minerals, Inc., Permit Nos. 16820703 and 16831601 on the Edgar T. and Nancy Lee Gano property, requires obtaining adequate topsoil material and establishing permanent vegetative cover on abandoned mine lands.

Letters of interest must be received by Javed I. Mirza, District Mining Manager, Department of Environmental Protection, P. O. Box 669, Knox, PA 16232 no later than 4:30 p.m., October 5, 2006, to be considered.

Telephone inquiries shall be directed to Javed I. Mirza at (814) 797-1191.

[Pa.B. Doc. No. 06-1869. Filed for public inspection September 22, 2006, 9:00 a.m.]

Air Quality Technical Advisory Committee Meeting

The Air Quality Technical Advisory Committee (AQTAC) will meet at 9 a.m. on September 27, 2006, Pennsylvania State System of Higher Education's Dixon University Center, Richards Hall, 2986 North Second Street, Harrisburg, PA 17110-1200. At this meeting, AQTAC plans to review and take formal action on the draft final mercury rulemaking.

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

Persons with a disability who require accommodations to attend this meeting should contact the Department at (717) 787-2030 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-1870. Filed for public inspection September 22, 2006, 9:00 a.m.]

Availability of Technical Guidance

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

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

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Draft Technical Guidance—Substantive Revision

DEP ID: 383-3310-409. Title: Pennsylvania Drinking Water Information System (PADWIS) Violation and Enforcement User's Manual. Description: This manual provides uniform instructions and protocol for the use of the online Safe Drinking Water Program violation and enforcement information system that is a major subsystem of the PADWIS. Substantive revisions were made to the

guidance to reflect changes in computer system technology, including system changes associated with the conversion from a text-based to a graphical user-interface system. The manual was also revised to include information on new violations associated with regulations that were implemented after the manual was last published in 2000. The new regulations addressed in the manual include the Consumer Confidence Report, Disinfectants/Disinfection By Products, Filter Backwash and Recycling, Interim Enhanced Surface Water Treatment, Long Term 1 Enhanced Surface Water Treatment, Radionuclides and Public Notice. Written Comments: The Department is seeking comments on the substantive revisions to draft technical guidance #383-3310-409. Interested persons may submit written comments on this draft technical guidance document by October 23, 2006. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to William Sedlak, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, Rachel Carson State Office Building, 11th Floor, Harrisburg, PA 17105-8466 or wsedlak@state.pa.us. Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-1871. Filed for public inspection September 22, 2006, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of UPMC Horizon for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Horizon has requested an exception to the requirements of 28 Pa. Code § 123.25 (relating to regulations for control of anesthetic explosion hazards).

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

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

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

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

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

[Pa.B. Doc. No. 06-1872. Filed for public inspection September 22, 2006, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Silver Bells Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Silver Bells.

2. *Price:* The price of a Pennsylvania Silver Bells instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Silver Bells instant lottery game ticket will contain one play area featuring a "SILVER NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "SILVER NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Holly symbol (HOLLY) and a Snowflake symbol (SNWFLAKE).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$20,000 (TWY THO).

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

6. *Approximate Number of Tickets Printed for the Game:* Approximately 11,400,000 tickets will be printed for the Pennsylvania Silver Bells instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "SILVER NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

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

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Snowflake symbol (SNWFLAKE), and a prize symbol of \$50\$ (FIFTY) appears in each of the ten "prize" areas on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Snowflake symbol (SNWFLAKE), and a prize symbol of \$20\$ (TWENTY) appears in five of the "prize" areas, and a prize symbol of \$50\$ (FIFTY) appears in two of the "prize" areas, and a prize symbol of \$100 (ONE HUN) appears in three of the "prize" areas on a single ticket, shall be entitled to a prize of \$500.

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

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Holly symbol (HOLLY), and a prize symbol of \$100 (ONE HUN) appears under the Holly symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Snowflake symbol (SNWFLAKE), and a prize symbol of \$10⁰⁰ (TEN DOL) appears in each of the ten "prize" areas on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Snowflake symbol (SNWFLAKE), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the "prize" areas, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the "prize" areas, and a prize symbol of \$20\$ (TWENTY) appears in two of the "prize" areas on a single ticket, shall be entitled to a prize of \$100.

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

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Holly symbol (HOLLY), and a prize symbol of \$50\$ (FIFTY) appears under the Holly symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Snowflake symbol (SNWFLAKE), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in each of the ten "prize" areas on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Snowflake symbol (SNWFLAKE), and a prize symbol of \$2⁰⁰ (TWO DOL) appears in five of the "prize" areas, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the "prize" areas, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in three of the "prize" areas on a single ticket, shall be entitled to a prize of \$50.

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

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Holly symbol (HOLLY), and a prize symbol of \$20\$ (TWENTY) appears under the Holly symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Snowflake symbol (SNWFLAKE), and a prize symbol of \$2⁰⁰ (TWO DOL) appears in each of the ten "prize" areas on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Snowflake symbol (SNWFLAKE), and a prize symbol of \$1⁰⁰ (ONE DOL) appears in six of the "prize" areas, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in three of the "prize" areas, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in one of the "prize" areas on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "SILVER NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Holly symbol (HOLLY), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Holly symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Snowflake symbol (SNWFLAKE), and a prize symbol of \$1⁰⁰ (ONE DOL) appears in each of the ten "prize" areas on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "SILVER NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Holly symbol (HOLLY), and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the Holly symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$5.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "SILVER NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Holly symbol (HOLLY), and a prize symbol of \$4⁰⁰ (FOR DOL) appears under the Holly symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$4.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "SILVER NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Holly symbol (HOLLY), and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the Holly symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$2.

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

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 Silver Numbers, Win with Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 11,400,000 Tickets</i>
\$2	\$2	30	380,000
\$1 × 2	\$2	30	380,000
\$2 w/HOLLY	\$2	33.33	342,000
\$4	\$4	50	228,000
\$2 × 2	\$4	50	228,000
\$4 w/HOLLY	\$4	50	228,000
\$5	\$5	75	152,000
\$1 × 5	\$5	75	152,000
\$5 w/HOLLY	\$5	150	76,000
\$10	\$10	250	45,600
\$5 × 2	\$10	250	45,600
\$2 × 5	\$10	250	45,600
\$10 w/HOLLY	\$10	250	45,600
SNOWFLAKE w/\$1 × 10	\$10	250	45,600
\$20	\$20	375	30,400
\$5 × 4	\$20	375	30,400
\$4 × 5	\$20	375	30,400
\$10 × 2	\$20	750	15,200
\$20 w/HOLLY	\$20	750	15,200
SNOWFLAKE w/\$1 × 6 + \$4 × 3 + \$2	\$20	750	15,200
SNOWFLAKE w/\$2 × 10	\$20	750	15,200
\$50	\$50	1,500	7,600
\$5 × 10	\$50	1,500	7,600
\$10 × 5	\$50	1,500	7,600
\$50 w/HOLLY	\$50	1,500	7,600
SNOWFLAKE w/\$2 × 5 + \$5 × 2 + \$10 × 3	\$50	3,000	3,800
SNOWFLAKE w/\$5 × 10	\$50	3,000	3,800
\$100	\$100	30,000	380
\$20 × 5	\$100	30,000	380
\$100 w/HOLLY	\$100	30,000	380
SNOWFLAKE w/\$5 × 4 + \$10 × 4 + \$20 × 2	\$100	30,000	380
SNOWFLAKE w/\$10 × 10	\$100	30,000	380
\$500	\$500	760,000	15
\$100 × 5	\$500	760,000	15
SNOWFLAKE w/\$20 × 5 + \$50 × 2 + \$100 × 3	\$500	760,000	15
SNOWFLAKE w/\$50 × 10	\$500	760,000	15
\$20,000	\$20,000	760,000	15

HOLLY (HOLLY) = Win prize shown under it automatically.
SNOWFLAKE (SNOWFLAKE) = Win all 10 prizes shown.

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

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Silver Bells, prize

money from winning Pennsylvania Silver Bells 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 Silver Bells instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

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

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 06-1873. Filed for public inspection September 22, 2006, 9:00 a.m.]

Pennsylvania Snow Dough Instant Lottery Game

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

- 1. *Name:* The name of the game is Pennsylvania Snow Dough.
- 2. *Price:* The price of a Pennsylvania Snow Dough instant lottery game ticket is \$1.
- 3. *Play Symbols:* Each Pennsylvania Snow Dough instant lottery game ticket will contain one play area. The prize play symbols and play symbol and their captions located in the play area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$1,000 (ONE THO) and Candy Cane symbol (CNDYCANE).
- 4. *Prizes:* The prizes that can be won in this game are: Free Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100 and \$1,000.
- 5. *Approximate Number of Tickets Printed for the Game:* Approximately 23,040,000 tickets will be printed for the Pennsylvania Snow Dough instant lottery game.
- 6. *Determination of Prize Winners:*

- (a) Holders of tickets with three matching prize play symbols of \$1,000 (ONE THO) in the play area on a single ticket shall be entitled to a prize of \$1,000.
- (b) Holders of tickets with three matching prize play symbols of \$100 (ONE HUN) in the play area on a single ticket shall be entitled to a prize of \$100.

(c) Holders of tickets with three matching prize play symbols of \$40\$ (FORTY) in the play area on a single ticket shall be entitled to a prize of \$40.

(d) Holders of tickets with two matching prize play symbols of \$20\$ (TWENTY) and a Candy Cane play symbol (CNDYCANE) in the play area on a single ticket shall be entitled to a prize of \$40.

(e) Holders of tickets with three matching prize play symbols of \$20\$ (TWENTY) in the play area on a single ticket shall be entitled to a prize of \$20.

(f) Holders of tickets with two matching prize play symbols of \$10⁰⁰ (TEN DOL) and a Candy Cane play symbol (CNDYCANE) in the play area on a single ticket shall be entitled to a prize of \$20.

(g) Holders of tickets with three matching prize play symbols of \$10⁰⁰ (TEN DOL) in the play area on a single ticket shall be entitled to a prize of \$10.

(h) Holders of tickets with two matching prize play symbols of \$5⁰⁰ (FIV DOL) and a Candy Cane play symbol (CNDYCANE) in the play area on a single ticket shall be entitled to a prize of \$10.

(i) Holders of tickets with three matching prize play symbols of \$5⁰⁰ (FIV DOL) in the play area on a single ticket shall be entitled to a prize of \$5.

(j) Holders of tickets with three matching play symbols of \$4⁰⁰ (FOR DOL) in the play area on a single ticket shall be entitled to a prize of \$4.

(k) Holders of tickets with two matching prize play symbols of \$2⁰⁰ (TWO DOL) and a Candy Cane play symbol (CNDYCANE) in the play area on a single ticket shall be entitled to a prize of \$4.

(l) Holders of tickets with three matching prize play symbols of \$2⁰⁰ (TWO DOL) in the play area on a single ticket shall be entitled to a prize of \$2.

(m) Holders of tickets with two matching prize play symbols of \$1⁰⁰ (ONE DOL) and a Candy Cane play symbol (CNDYCANE) in the play area on a single ticket shall be entitled to a prize of \$2.

(n) Holders of tickets with three matching prize play symbols of \$1⁰⁰ (ONE DOL) in the play area on a single ticket shall be entitled to a prize of \$1.

(o) Holders of tickets with three matching play symbols of FREE (TICKET) in the play area on a single ticket shall be entitled to a prize of one Pennsylvania Snow Dough instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

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>Win With Prizes of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 23,040,000 Tickets</i>
3-FREE's	TICKET	15	1,536,000
3-\$1's	\$1	15	1,536,000
3-\$2's	\$2	100	230,400
2-\$1's w/CANDYCANE	\$2	42.86	537,600
3-\$4's	\$4	200	115,200
2-\$2's w/CANDYCANE	\$4	120	192,000
3-\$5's	\$5	75	307,200
3-\$10's	\$10	100	230,400
2-\$5's w/CANDYCANE	\$10	100	230,400

<i>Win With Prizes of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 23,040,000 Tickets</i>
3-\$20's	\$20	600	38,400
2-\$10's w/CANDYCANES	\$20	600	38,400
3-\$40's	\$40	4,800	4,800
2-\$20's w/CANDYCANES	\$40	4,800	4,800
3-\$100's	\$100	48,000	480
3-\$1,000's	\$1,000	460,800	50

CANDYCANES (CNDYCANES) = Win double the prize shown.

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 Snow Dough 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 Snow Dough, prize money from winning Pennsylvania Snow Dough 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 Snow Dough 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 Snow Dough or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 06-1874. Filed for public inspection September 22, 2006, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Centre 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 Federal Highway Administration and the Department of Transportation are planning to widen and resurface SR 504 in Boggs Township, Centre County.

The subject project is considered a Level 2 Categorical Exclusion in accordance with 23 CFR Part 771.117(d), Item 1 as published in the August 28, 1987, *Federal Register*.

The Bald Eagle Area School District athletic fields are a Section 2002/Section 4(f) resource. A small sliver take of right-of-way from the property will constitute a use of the Section 2002/Section 4(f) resource.

Based upon studies, there is no prudent and feasible alternative to the proposed action.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize such effects.

RICHARD H. HOGG, P. E.,
Deputy Secretary for Highway Administration

[Pa.B. Doc. No. 06-1875. Filed for public inspection September 22, 2006, 9:00 a.m.]

Finding Luzerne 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 City of Wilkes-Barre and the Department of Transportation plan to widen, relocate and extend Coal Street in Luzerne County.

The purpose of the Coal Street Improvement Project is to address the increasing peak-hour and midday congestion, to improve safety for drivers and pedestrians along the Coal Street corridor and to enhance the economic growth initiatives that are underway in the City of Wilkes-Barre.

The proposed actions of this project consist of the widening of Coal Street to five lanes between the southern terminus, the intersection of Wilkes-Barre Township Boulevard and Highland Park Boulevard and the northern terminus, the intersection of North Pennsylvania Avenue and East Union Street. Shifting Coal Street to eliminate two turning movements near the northern project terminus will also provide a more efficient and uninterrupted flow of traffic into the intersection of North Pennsylvania Avenue and East Union Street. In addition, the proposed Coal Street project will improve signalization at several Coal Street intersections and will include reconstructing the existing severely deteriorated roadway.

New sidewalks and crosswalks will also improve the conditions for the safety of pedestrians along Coal Street while enhancing access to Coal Street Park, as well as the surrounding residential and commercial areas in the Heights Neighborhood.

Alternatives were evaluated as required by section 2002 of The Administrative Code. The WRE Alternative has been identified as the alternative that satisfies the purpose and needs associated with this project and best balances impacts to the socio-economic, cultural and natural environment in the study area. The WRE alternative poses the least harm to the Lehigh Valley Railroad and the loss of only 0.68 acre to Coal Street Park.

The mitigation proposed for the Coal Street Park consists of a new landscaping to replace lost vegetation and enhance the Coal Street Park's appearance. Also, 0.68 acre of right-of-way owned by the City of Wilkes-Barre adjacent to the park's eastern boundary will be dedicated to the park as means of mitigating the 0.68 acre use required by the WRE Alternative along the park's western boundary.

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 such effect.

RICHARD H. HOGG, P. E.
Deputy Secretary for Highway Administration

[Pa.B. Doc. No. 06-1876. Filed for public inspection September 22, 2006, 9:00 a.m.]

Sale of Land No Longer Required for Transportation; Berks County SR 0222, Section 003

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department. The parcel is square shape, located at the southeast corner of the intersection of SR 724 (Shillington Road) and Morgan Drive, between stations 13 + 36 and 14 + 86 in Spring Township, Berks County. The parcel is approximately .63 acre. The sale of the property is in an as is condition. Interested public agencies are invited to express their interest in purchasing the parcel within 30 calendar days from this notice.

For further information, contact Bruce Kern, District Property Manager, Department of Transportation, 1713 Lehigh Street, Allentown, PA 18103, (610) 798-4271.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 06-1877. Filed for public inspection September 22, 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, September 7, 2006, and announced the following:

Regulation Deemed Approved under section 5(g) of the Regulatory Review Act—Effective September 6, 2006

State Horse Racing Commission #34-65: Pennsylvania Breeding Fund Program (amends 58 Pa. Code Chapter 163)

Regulation Approved

Department of Agriculture #2-151: Shellfish (amends 7 Pa. Code Chapter 49)

Approval Order

Public Meeting held
September 7, 2006

Commissioners Voting: Alvin C. Bush, Chairperson; David M. Barasch, Esq.; Arthur Coccodrilli; David J. DeVries, Esq.; John F. Mizner, Esq., by phone

Department of Agriculture—Shellfish; Regulation No. 2-151

On February 13, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code Chapter 49. The proposed regulation was published in the February 25, 2006 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 21, 2006.

This regulation clarifies and updates existing provisions on the processing, transportation, storage and sale of shellfish. It adopts the National Shellfish Sanitation Program Model Ordinance which is developed and published by U.S. Food and Drug Administration in collaboration with the states, other nations and industry.

We have determined this regulation is consistent with the statutory authority of the Department (31 P. S. §§ 20.13 and 20.14) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

ALVIN C. BUSH,
Chairperson

[Pa.B. Doc. No. 06-1878. Filed for public inspection September 22, 2006, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

Final

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
54-61	Pennsylvania Liquor Control Board Revisions to Codify Practices and Procedures Resulting from Legislative Amendments	9/8/06	10/19/06
14-488	Department of Public Welfare Medical Assistance Provider Appeal Procedure	9/13/06	10/19/06

ALVIN C. BUSH,
Chairperson

[Pa.B. Doc. No. 06-1879. Filed for public inspection September 22, 2006, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval of the Recapitalization of a Domestic Stock Casualty Insurance Company

Homestead Insurance Company, a Commonwealth domiciled stock casualty insurance company, has submitted a Plan of Recapitalization, whereby it proposes to reduce the stated capital of the company. The initial filing was made under 15 Pa.C.S. §§ 1101—4162 (relating to the Business Corporation Law of 1988) and the GAA Amendments Act of 1990 (15 P.S. §§ 21205—21207). Persons wishing to comment on the grounds of public or private interest to the issuance of the Insurance Department's (Department) order approving this recapitalization are invited to submit a written statement to the Department within 7 days from the date of this issue of the *Pennsylvania Bulletin*. A written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-1880. Filed for public inspection September 22, 2006, 9:00 a.m.]

Commission on the MCARE Fund Public Informational Hearing

Under the act of December 22, 2005 (P. L. 458, No. 88), a Commission on the MCARE Fund (Commission) was established for the purpose of making recommendations to the Governor and General Assembly by November 15, 2006, wherein the recommendations are to address the continuation of the MCARE assessment abatement; the elimination or phase-out of the MCARE Fund (Fund); an evaluation and actuarial analysis of the projected

scope of the Fund's future unfunded liability and any reasonable and available financing options for retiring the unfunded liability; and providing adequate professional liability insurance for health care providers. As part of its work to date, the Commission has adopted certain principles to guide its recommendations. To view these principles, go to www.mcare.state.pa.us/mclf/lib/mclf/commission/publichearing/principles_of_the_commission.pdf.

The issue of accessibility and affordability of medical care is of the utmost importance to the Governor, the Legislature, the citizens of this Commonwealth and to the health care provider community. The Commission wishes to give citizens and organizations the opportunity to provide relevant information, opinions and suggestions that concentrate on the Commission's adopted principles by way of a public informational hearing.

The hearing has been set for Thursday, November 2, 2006, from 9 a.m. to 12 p.m. and will be held at the Pennsylvania Housing Finance Agency, 211 North Front Street, Harrisburg, PA. The hearing will be chaired by Insurance Commissioner Diane Koken, who also serves as Chair of the Commission. Other members of the Commission may also be present for the hearing.

The public forum will be conducted so that the Commission will accept 10 minutes of oral testimony exclusive of questions and answers, and may be supplemented by written submissions.

In Person Testimony Registration: Individuals wishing to provide either in person testimony with or without written testimony should contact Dee Ann McHugh at dmchugh@state.pa or (717) 783-3770, ext. 213 or complete the form at www.mcare.state.pa.us/mclf/cwp/view.asp?a=3&Q=209394&mclfNav=10407.

Written Testimony Registration: Persons wishing to provide exclusively written testimony should complete the registration form, as well as provide a hard copy by close of business on Monday, October 30, 2006, addressed to Dee Ann McHugh, Office of MCARE, Attention Public Hearing, 30 North Third Street, 8th Floor, Harrisburg, PA 17101.

Testimony Details: Fifty copies are to be made available at the hearing or provided in advance for written testimony only.

Persons who need accommodations due to a disability who wish to attend the meeting should contact Shirley Topper, Insurance Department, MCARE, 30 North Third Street, 8th Floor, Harrisburg, PA 17101, (717) 783-3770, ext. 228 at least 24 hours in advance so that arrangements can be made.

PETER J. ADAMS,
Deputy Insurance Commissioner

[Pa.B. Doc. No. 06-1881. Filed for public inspection September 22, 2006, 9:00 a.m.]

Liberty Mutual Fire Insurance Company and The First Liberty Insurance Corporation; Private Passenger Auto Insurance Rate Revision; Rate Filing

On August 30, 2006, the Insurance Department (Department) received from Liberty Mutual Fire Insurance Company and The First Liberty Insurance Corporation a filing for a proposed rate level change for private passenger auto insurance.

Liberty Mutual Fire Insurance Company requests an overall 1.82% increase amounting to \$2.370 million annually, to be effective December 11, 2006, for new business and January 15, 2007, for renewal business.

The First Liberty Insurance Corporation requests an overall 1.08% increase amounting to \$1.102 million annually, to be effective December 11, 2006, for new business and January 15, 2007, for renewal business.

Unless formal administrative action is taken prior to October 29, 2006, the subject filing may be deemed approved by operation of law.

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

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, 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. 06-1882. Filed for public inspection September 22, 2006, 9:00 a.m.]

Nationwide Mutual Fire Insurance Company; Private Passenger Automobile Rate Revisions; Rate Filing

On August 25, 2006, the Insurance Department (Department) received from Nationwide Mutual Fire Insurance Company a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 1.9% increase amounting to \$1.483 million annually, to be effective January 3, 2007.

Unless formal administrative action is taken prior to October 24, 2006, the subject filing may be deemed approved by operation of law.

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

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 Michael P. McKenney, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-1883. Filed for public inspection September 22, 2006, 9:00 a.m.]

Notice to Medical Malpractice Insurance Carriers and Self-Insured Health Care Providers; Rate Filing

Insurance companies that offer basic limits medical malpractice coverage are required to report medical malpractice claims information to the Insurance Department (Department) for insureds who are subject to the Medical Care Availability and Reduction of Error (MCARE) Act (act) (40 P. S. §§ 1303.101—1303.910). Organizations and physicians that self-insure their medical malpractice exposures are also required to report this claims information. These reports are required under section 743 of the act (40 P. S. § 1303.743).

The claims information must be reported to the MCARE Fund and to the Department. The following calendar year 2005 claims information is due to the Fund and the Department by October 15, 2006:

- The aggregate amount of premium earned.
- The aggregate amount of losses paid.
- The aggregate amount of losses incurred.
- The aggregate amount of loss reserves outstanding.
- The aggregate amount of loss adjustment expenses paid.
- The aggregate amount of loss adjustment expenses incurred.
- The aggregate amount of loss adjustment expense reserves outstanding.
- A table showing separately by accident year and county the number of claims first reported (or arising) in 2005.
- A table showing separately by accident year and disposition (that is, judgment of arbitration panel, judgment of court, settlement or other) the number of claims closed by county (or disposed) in 2005.

- A separate table for each type of disposition previously identified showing for claims closed (or disposed) in 2005 separately by accident year: the number of claims closed (or disposed) with payment; the total losses incurred for those claims closed with payment; and the basic coverage premiums collected.

Reports must be submitted as an Excel spreadsheet. A letter has been mailed instructing medical malpractice carriers to submit their 2005 data.

Medical malpractice carriers who have not received a letter should contact Bojan Zorkic, Actuarial Associate, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-6968, bzorkic@state.pa.us. Questions should be directed to Bojan Zorkic.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-1884. Filed for public inspection September 22, 2006, 9:00 a.m.]

Pennsylvania Compensation Rating Bureau F-Classification and USL & HW Rating Value Filing; Rate Filing

On September 6, 2006, the Insurance Department (Department) received from the Pennsylvania Compensation Rating Bureau (PCRB) proposed revisions to rates and rating values pertaining to F-Classification and United States Longshore and Harbor Workers (USL & HW) Compensation Act coverages to be effective February 1, 2007. The filing proposes the following:

- An overall average decrease in collectible F-classification rates of 7.49%.
- An overall average decrease in manual rates for F-classifications of 4.88% consistent with the proposed overall average change in collectible rates. The proposed changes in manual rates for individual F-Classifications range from decreases of 1.5% to 6.3%.
- A change in the USL & HW Compensation Coverage Percentage from 79.1% to 81.7%.

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

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 Michael P. McKenney, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-1885. Filed for public inspection September 22, 2006, 9:00 a.m.]

State Farm Fire and Casualty Company; Private Passenger Automobile Rate Revisions; Rate Filing

On August 31, 2006, the Insurance Department (Department) received from State Farm Fire and Casualty Company a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 1.6% decrease amounting to -\$1.618 million annually, to be effective November 13, 2006, for new business and December 13, 2006, for renewals.

Unless formal administrative action is taken prior to October 30, 2006, the subject filing may be deemed approved by operation of law.

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

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 Michael P. McKenney, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-1886. Filed for public inspection September 22, 2006, 9:00 a.m.]

State Farm Mutual Automobile Insurance Company; Private Passenger Automobile Rate Revisions; Rate Filing

On August 31, 2006, the Insurance Department (Department) received from State Farm Mutual Automobile Insurance Company a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 2.3% decrease amounting to -\$29.264 million annually, to be effective November 13, 2006, for new business and December 13, 2006, for renewals.

Unless formal administrative action is taken prior to October 30, 2006, the subject filing may be deemed approved by operation of law.

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

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 Michael P. McKenney, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-1887. Filed for public inspection September 22, 2006, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The Liquor Control Board seeks the following new site:

Chester County, Wine & Spirits Shoppe #1527, Lancaster Avenue, Devon.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space along Route 30 within a 1/2-mile radius of the intersection of Route 30 and Waterloo Road, Devon.

Proposals due: October 13, 2006, at 12 p.m.

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

The following Liquor Control Board lease will expire:

Philadelphia County, Wine & Spirits Shoppe #5127, 2511 W. Girard Avenue, Philadelphia, PA 19130.

Lease Expiration Date: April 30, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space along West Girard Avenue in Philadelphia.

Proposals due: October 13, 2006, at 12 p.m.

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

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 06-1888. Filed for public inspection September 22, 2006, 9:00 a.m.]

PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

Interest Rates and Participation Rates

The Pennsylvania Industrial Development Authority (PIDA) gives notice of the change in interest rates and participation rates for loans approved by the PIDA Board of Directors. Loan applications submitted after October 1, 2006, and until further notice will be subject to the interest rate and participation rate schedule set forth as follows in the respective counties as determined by the most recent applicable unemployment statistics and will remain in effect until changed by a notice in the *Pennsylvania Bulletin*.

The PIDA Board retains the right to waive or modify the interest rates on a case by case basis for good cause shown.

Note: Loan applications are subject to the schedule of interest rates in effect at the time the application is received by the Department of Community and Economic Development. Any loan application that is deferred shall be subject to the schedule of interest rates in effect on the date of the PIDA Board meeting at which the application is considered, regardless of when the application was originally submitted.

Further information can be obtained from the Pennsylvania Industrial Development Authority, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120, (717) 787-6245.

DENNIS YABLONSKY,
Chairperson

PIDA Participation and Interest Rates for Counties and Municipalities* over 25,000 Population Effective October 2006

		Maximum PIDA Participation		Interest Rate**
	(S)	(L)	%	
ADAMS	30	****	30	**** 5.75
ALLEGHENY	40	***	30	**** 4.75
McKeesport City	50		30	**** 4.75
ARMSTRONG	50		40	*** 4.75
BEAVER	40	***	30	**** 4.75
BEDFORD	50		40	*** 4.75
BERKS	40	***	30	**** 5.75
Reading City	50		30	**** 4.75
BLAIR	40	***	40	*** 4.75
BRADFORD	40	***	40	*** 4.75
BUCKS	40	***	30	**** 5.75
Bristol Township	40	***	30	**** 4.75
BUTLER	40	***	30	**** 4.75
CAMBRIA	50		40	*** 4.75
CAMERON	50		40	*** 4.75
CARBON	40	***	40	*** 4.75
CENTRE	40	***	40	*** 4.75
CHESTER	40	***	30	**** 5.75
CLARION	40	***	40	*** 4.75
CLEARFIELD	40	***	40	*** 4.75
CLINTON	50		40	*** 4.75
COLUMBIA	40	***	40	*** 4.75
CRAWFORD	40	***	40	*** 4.75
CUMBERLAND	30	****	30	**** 5.75
Carlisle Borough	40	***	30	**** 5.75
DAUPHIN	40	***	30	**** 5.75
Harrisburg City	50		30	**** 4.75
DELAWARE	40	***	30	**** 5.75
Chester City	50		30	**** 4.75
Upper Darby Township	40	***	30	**** 4.75
ELK	50		40	*** 4.75
ERIE	40	***	40	*** 4.75
Erie City	50		40	*** 4.75

the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 16 Pa. Code § 91.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JAMES B. ALLEN,
Secretary

[Pa.B. Doc. No. 06-1890. Filed for public inspection September 22, 2006, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications Services

A-310204F0002AMA. Full Service Computing Corporation t/a Full Service Network. Application of Full Service Computing Corporation t/a Full Service Network for approval of the right to begin to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territory of North Pittsburgh Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 10, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Full Service Computing Corporation t/a Full Service Network

Through and By Counsel: Alan M. Kohler, Esquire, Wolf, Block, Schorr and Solis-Cohen, LLP, 213 Market Street, 9th Floor, Harrisburg, PA 17108-0865

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-1891. Filed for public inspection September 22, 2006, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

October 25, 2006	Janice Z. Anderson (Health Care)	1 p.m.
November 1, 2006	Robert A. Imburgia (Return to Service)	1 p.m.

November 15, 2006	Harriet Disston (Purchase of Service)	1 p.m.
November 29, 2006	Patty Schumacher-Smith (Final Average Salary)	1 p.m.
December 13, 2006	Karen A. Haugh Dolores Parsil (Multiple Service)	1 p.m.
December 20, 2006	Lanorde Paul Wheeler (D) (Death Benefit)	1 p.m.

Persons with a disability who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 06-1892. Filed for public inspection September 22, 2006, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Michelle Brady t/d/b/a Le Bomb Chele; Doc. No. 1410-45-06

On August 25, 2006, Michelle Brady t/d/b/a Le Bomb Chele, of Philadelphia, Philadelphia County, was assessed a civil penalty of \$650 and her license suspended, for violation of equipment requirements, maintaining an unsanitary shop and for practicing cosmetology on a lapsed shop license.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Cosmetology (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 06-1893. Filed for public inspection September 22, 2006, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Venieta L. Briggs; Doc. No. 1329-45-06**

On August 10, 2006, Venieta L. Briggs, of Philadelphia, Philadelphia County, was assessed a civil penalty of \$1,000 and her license suspended, based on her violation of a disciplinary order imposed by the State Board of Cosmetology (Board).

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 06-1894. Filed for public inspection September 22, 2006, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Walter L. Sewell; Doc. No. 1331-45-06**

On August 10, 2006, Walter L. Sewell, of Pittsburgh, Allegheny County, was assessed a civil penalty of \$500 and his license suspended, based on his violation of a disciplinary order imposed by the State Board of Cosmetology (Board).

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 06-1895. Filed for public inspection September 22, 2006, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
PA Department of Community and Economic Development
374 Forum Building
Harrisburg, PA 17120
800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
Location: Harrisburg, Pa.
Duration: 12/1/93-12/30/93
Contact: Procurement Division
787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:
Vendor Services Section
717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

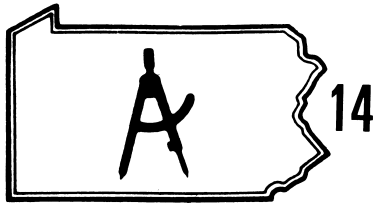
DO BUSINESS WITH STATE AGENCIES

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. The bureau is, by law, the central repository for all state contracts over \$5,000. Contract Specialists can supply you with descriptions of contracts, names of previous bidders, pricing breakdowns and other information. They can also direct you to the appropriate person and agency looking for your product or service. Copies of state contracts are also available. (Duplicating and mailing costs may apply). For more information, visit us online at www.patreaury.org.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania Treasury Department
 201 Finance Building
 Harrisburg, PA 17120
 Phone: (717) 787-2990 or 1-800-252-4700
 Fax: (717) 772-0977

ROBERT P. CASEY, Jr.,
State Treasurer

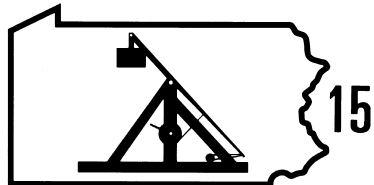
SERVICES



Engineering Services

DEP-BWE-07-1 The Department of Environmental Protection will retain a Cultural Resources Consulting Firm to perform Archaeological and Historic Property investigations for the Department's Bureau of Waterways Engineering, on an as-needed basis. To obtain a copy of the Request for Proposal, contact Scott Cox, Bureau of Waterways Engineering, (717) 783-7995, fax (717) 772-0409. It is anticipated that proposals will be due in mid-October 2006. The actual due date will be specified in the RFP cover letter.

Department: Environmental Protection
Location: Bureau of Waterways Engineering, 3rd Floor Rachel Carson State Office Building, 400 Market Street, P.O. Box 8554, Harrisburg, PA 17105-8554
Duration: Upon execution of contract to December 31, 2010
Contact: Scott Cox, 717-783-7995



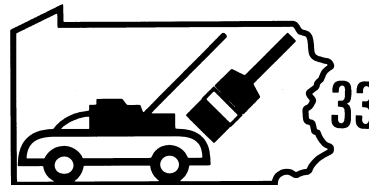
Environmental Maintenance Service

PBF 57830101.2 Mine Drainage Passive Treatment System Project, Bernice Mining and Contracting, Inc., Lewis Mine, Mining Permit No. 57830101. The principal items consist of constructing a passive treatment system consisting of a small forebay holding pond, a vertical flow pond (VFP), and an energy dissipation pool, improvement of site access road, implementation of an on site Erosion and Sedimentation Plan, and revegetation of site after completion of construction. This project issues on September 15, 2006 and bids will be opened on October 26, 2006 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received. A MANDATORY PRE-BID CONFERENCE is set for this project although a date has not been set. Please use the contact information contained in this advertisement to find out more about the pre-bid. PLEASE NOTE that failure to attend the mandatory pre-bid will be cause for rejection of your bid.

Department: Environmental Protection
Location: Cherry Township, Sullivan County
Duration: 120 calendar days after the official starting date.
Contact: Construction Contracts Section, 717-787-7820

BOGM 06-15 Cleaning Out and Plugging Two (2) Abandoned Oil and Gas Wells (Mr. and Mrs. Stephen J. Zupic and The Sewickley Creek Watershed Association Properties). The principal items of work include cleaning out and plugging two (2) abandoned oil and gas wells, estimated to be 2,500 feet each in depth while taking approximately 180 hours of plugging time, to Department Specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues on September 15, 2006 and bids will be opened on October 26, 2006 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received. A pre-bid conference is planned for this project but a date has not been set. Please use the contact information contained in this advertisement to find out more about the pre-bid.

Department: Environmental Protection
Location: Sewickley Hills Borough and Sewickley Township, Allegheny and Westmoreland Counties
Duration: 120 calendar days after the official starting date.
Contact: Construction Contracts Section, 717-787-7820



Property Maintenance

FM 9054 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Altoona District Enforcement Office. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from Facility Management Division at 717-705-5951. Bid Due Date/Time: October 3, 2006/2:00 PM.

Department: State Police
Location: PSP, Altoona DEO, 930 Route 22 East, Duncansville PA 16635, phone: 814-693-6200
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9049 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Blooming Grove Station. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from the Facility Management Division at 717-705-5951. Bid Due Date/Time: September 29, 2006/2:00 PM.

Department: State Police
Location: Troop R, Blooming Grove Station, HC 6 Box 6810, Hawley, PA, 18428, (I-84 Exit 30 on PA 402 North 1.5 miles), phone: 570-226-5720
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9052 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Erie Crime Lab. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from Facility Management Division at 717-705-5951. Bid Due Date/Time: October 3, 2006/2:00 PM.

Department: State Police
Location: Erie Crime Lab, 4310 Iroquois Avenue, Erie, PA 16511
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9048 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Shickshinny Station. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from the Facility Management Division at 717-705-5951. Bid Due Date/Time: September 29, 2006/2:00 PM.

Department: State Police
Location: Troop P, Shickshinny Station, 872 Salem Boulevard, Berwick, PA, 18603, phone: 570-542-7105
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

IGWF32692 Contractor to open and repair 2 areas of gymnasium flooring. Maple flooring and plywood subfloor will be used as required. Floors will be cleaned and screened. Two maintenance coats of finish will be applied. A mandatory site visit will be held on 10/04/06 at 10:00am.

Department: Corrections
Location: State Correctional Institution at Huntingdon, 1100 Pike St., Huntingdon, PA 16654
Duration: 09/11/06 to 6/30/07
Contact: Robert Jessell, 814-643-2400, x 304

FM 9053 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Greensburg Consolidated Dispatch Center. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from Facility Management Division at 717-705-5951. Bid Due Date/Time: October 3, 2006/2:00 PM.

Department: State Police
Location: Greensburg CDC, 425 Willow Crossing Road, Greensburg, PA 15601
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9055 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Erie District Enforcement Office. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from Facility Management Division at 717-705-5951. Bid Due Date/Time: October 3, 2006/2:00 PM.

Department: State Police
Location: PSP, Erie DEO, 8349 Perry Highway, Erie, PA 16509, phone: 814-217-0001
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9050 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Honesdale Station. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from the Facility Management Division at 717-705-5951. Bid Due Date/Time: September 29, 2006/2:00 PM.

Department: State Police
Location: Troop R, Honesdale Station, RR 6, 14 Collan Park, Honesdale, PA, 18431, phone: 570-251-7207
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9051 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas on an "on call" basis as required at the PA State Police, Department Headquarters, Harrisburg, PA 17110. The awarded vendor will provide backup and/or additional snow removal equipment and manpower as needed. Detailed Work Schedule and Request for Quote must be obtained from Facility Management Division at 717-705-5951. Bid Due Date/Time: October 5, 2006/2:00 PM.

Department: State Police
Location: Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9057 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Wilkes-Barre District Enforcement Office. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from Facility Management Division at 717-705-5951. Bid Due Date/Time: October 4, 2006/2:00 PM.

Department: State Police
Location: PSP, Wilkes-Barre DEO, 1095 Hanover Street, Wilkes-Barre, PA 18706, phone: 570-826-2370
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9056 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Philadelphia District Enforcement Office. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from Facility Management Division at 717-705-5951. Bid Due Date/Time: October 4, 2006/2:00 PM.

Department: State Police
Location: PSP, Philadelphia DEO, 6901 Woodland Avenue, Philadelphia, PA 19142, phone: 215-726-6200
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9045 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Bethlehem Headquarters and Crime Lab. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from the Facility Management Division at 717-705-5951. Bid Due Date/Time: September 29, 2006/2:00 PM.

Department: State Police
Location: Troop M, Bethlehem Headquarters and Bethlehem Crime Lab, 2930 & 2932 Airport Road, Bethlehem, PA 18017, phone: 610-861-2026
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9046 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Dublin Station. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from the Facility Management Division at 717-705-5951. Bid Due Date/Time: September 29, 2006/2:00 PM.

Department: State Police
Location: Troop M, Dublin Station, 3218 Rickert Road, Perkasi, PA 18944, phone: 215-249-9191
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9058 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Hazleton Aviation Patrol Unit. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from Facility Management Division at 717-705-5951. Bid Due Date/Time: October 4, 2006/2:00 PM.

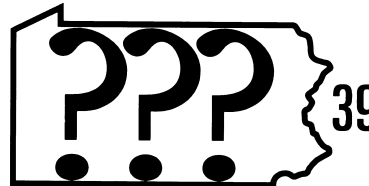
Department: State Police
Location: PSP, Hazleton Aviation Patrol Unit, Hazleton Municipal Airport, Hazleton, PA 18201, phone: 570-459-3907
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9061 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Swiftwater Station. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from the Facility Management Division at 717-705-5951. Bid Due Date/Time: September 29, 2006/2:00 PM.

Department: State Police
Location: Troop N, Swiftwater Station, HC 1, Box 121, Swiftwater, PA 18370, (SR 611, 3 miles north of I-80, Exit 299), phone: 570-839-7701
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951

FM 9047 Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Hazleton Headquarters. Totals are based on estimated snow removal and granular deicing material in hours/tons. Detailed Work Schedule and Request for Quote must be obtained from the Facility Management Division at 717-705-5951. Bid Due Date/Time: September 29, 2006/2:00 PM.

Department: State Police
Location: Troop N, Hazleton Headquarters, 250 Dessen Drive, West Hazleton, PA 18202, phone: 570-459-3890
Duration: 11/01/06 to 06/30/09
Contact: Sandy Wolfe, 717-705-5951



Miscellaneous

RFP No. 106-R-1939049/53/305 The Department of State, Bureau of Professional and Occupational Affairs seeks the services of a qualified records retrieval and document formatting/organizing service to secure the delivery of records to facilitate and review and/or prosecution of licensees under the Medical Practice Act, the Osteopathic Act and the MCARE Act.

Department: State
Location: Bureau of Finance and Operations, Room 308 North Office Building, Harrisburg, PA 17120
Duration: Two year fixed, firm price contract with two (2) one year options to renew.
Contact: Monna Accurti, 717-214-4927

LTL The Department of General Services, Bureau of Procurement and Bureau of Supplies & Surplus Operations are holding a bid development meeting on LTL Services. The purpose of this meeting is to discuss the needs of the supplier and the Commonwealth in the development of a Less-Than-Truckload (LTL) services statewide contract. The meeting will be held at the Department of General Services, Supplies & Surplus Operations Bureau, 2221 Forster Street, Room G-32, Harrisburg, PA, 17125. The meeting will be held on Friday, October 6, 2006 from 9:00 a.m. to 12:00 p.m. If additional information is required, please contact Wanda Bowers at 717-346-3840 or by e-mail at wbowers@state.pa.us.

Department: General Services

Location: Various

Contact: Wanda Bowers, 717-346-3843

[Pa.B. Doc. No. 06-1896. Filed for public inspection September 22, 2006, 9:00 a.m.]

DESCRIPTION OF LEGEND

- | | |
|--|---|
| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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JAMES P. CREEDON,
Secretary

