

# PENNSYLVANIA BULLETIN

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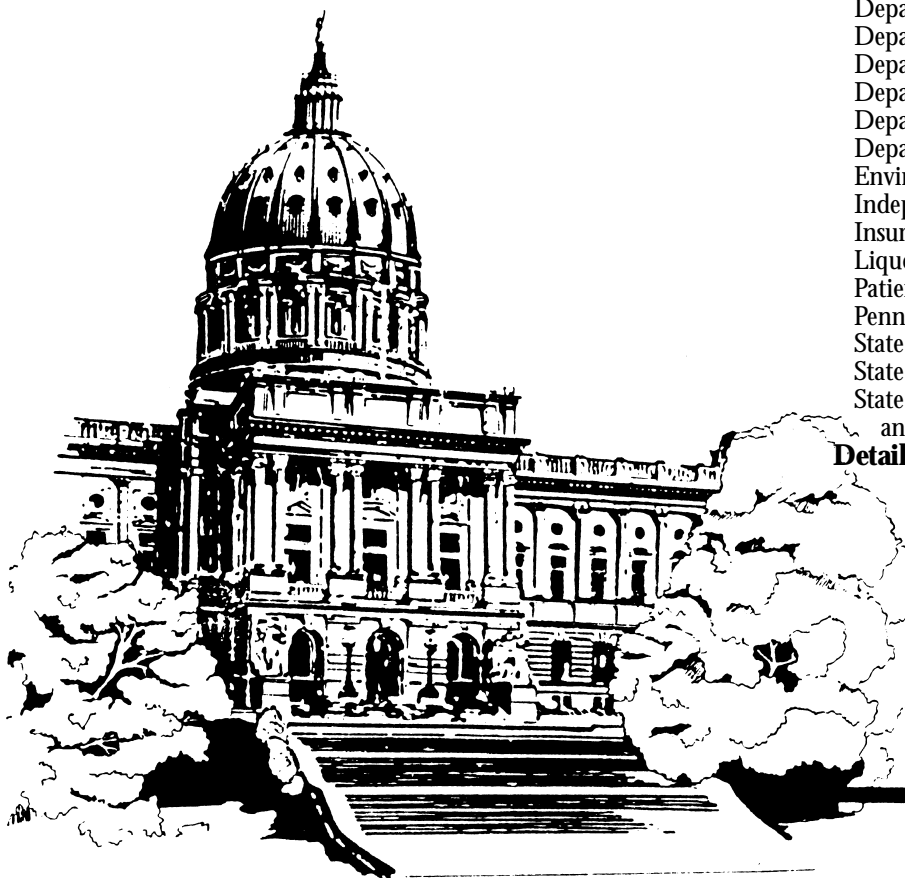
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and Salespersons

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**No. 384, November 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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1 ..... 4597  
 4 ..... 2505  
 5 ..... 814, 4597

**237 Pa. Code (Juvenile Rules)**

**Adopted Rules**

1 ..... 186  
 3 ..... 186  
 6 ..... 186  
 8 ..... 186  
 11 ..... 5571  
 12 ..... 5571  
 13 ..... 5571  
 14 ..... 5571  
 15 ..... 5571  
 16 ..... 5571  
 17 ..... 5571  
 18 ..... 5571

**Proposed Rules**

5 ..... 6089

**246 Pa. Code (Minor Court Civil Rules)**

**Adopted Rules**

200 ..... 2955  
 300 ..... 2955  
 400 ..... 2955  
 500 ..... 2955  
 1000 ..... 3997  
 1200 ..... 3810

**Proposed Rules**

200 ..... 3981  
 400 ..... 3981  
 1000 ..... 3981

**249 Pa. Code (Philadelphia Rules)**

Unclassified ..... 188, 512, 815, 1643, 1843, 1846, 4173

**252 Pa. Code (Allegheny Rules)**

Unclassified ..... 3812, 6633

**255 Pa. Code (Local Court Rules)**

Unclassified ..... 189, 388, 512, 935, 1043,  
 1216, 1399, 1491, 1644, 1850, 1986, 2171, 2280, 2381,  
 2512, 2513, 2960, 2969, 2970, 3086, 3230, 3525, 3526,  
 3646, 3647, 3648, 3649, 3812, 3998, 3999, 4000, 4177,  
 4178, 4179, 4462, 4463, 4464, 4465, 4601, 4602, 4603,  
 4604, 4606, 4713, 4714, 4715, 4719, 4720, 4721, 4722,  
 5606, 5682, 5779, 5780, 5974, 6092, 6093, 6282, 6283,  
 6284, 6375, 6376, 6377, 6386, 6402, 6509, 6669, 6670,  
 6850, 6851

# THE GOVERNOR

## Notice of Veto

October 27, 2006

*To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania*

I am returning House Bill 1813 without my approval.

I am vetoing this bill because, without regard for fluctuations in state revenues or growth in other, mandated obligations, the legislation establishes an annual increase in the obligation of state funds for reimbursement to mental health and mental retardation providers. Enactment of this bill will increase state expenditures by \$75 million in the first year and cumulatively by \$1.2 billion over five years. None of this funding is included in our current budget projections.

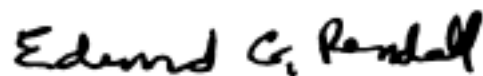
The providers impacted by House Bill 1813 have received a 2% cost of living increase in their grants in each of the last three years, resulting in an actual increase in the level of these grants of 6.1% since July 1, 2004. The annual 2% cost of living increase is entirely consistent with the annual increase level paid to these providers in the second term of the Ridge/Schweiker Administration.

Overall, between the base funding increase and increase in funds to enable the expansion of services, providers of mental health and mental retardation services have received a 19.24% increase in funding—\$338 million in new funds—since July 1, 2003. These funding increases have enabled providers to remove almost 3,000 individuals from the waiting lists. In spite of these improvements, I remain concerned that waiting lists for these critical services persist, and I believe a more substantial increase in the grants is warranted. In the coming year, if our revenues and other expenditure demands permit us to increase the reimbursement rate more than 2% next year, I will propose doing so.

I am entirely sympathetic to the plight of these providers and very much value the extraordinary work they do. But, I do find it perplexing that so many members of the legislature who advocated for the passage of legislation imposing annual caps on state spending voted for this automatic five year growth in state expenditures of more than \$1 billion in the middle of the fiscal year.

I have proven over the past four years that the commonwealth can be fiscally responsible, maintain a balanced budget, and still make steady progress toward meeting the needs of the most vulnerable Pennsylvanians. I have, in the past, and will continue, in the future, to provide additional funding for vital human services. But, I have consistently enforced a “pay as you go policy” when it comes to the state budget—expenditure increases must not be legislated on an ad-hoc basis during the fiscal year. I will not sign legislation that either significantly increases spending or reduces revenue without a specific plan to pay for it. Such legislation should be passed in the disciplined context of building our annual comprehensive balanced budget.

For these reasons I must withhold my signature for House Bill 1813. I reiterate that I remain hopeful we can achieve progress toward this goal in our next budget.



*Governor*

[Pa.B. Doc. No. 06-2191. Filed for public inspection November 9, 2006, 9:00 a.m.]

## THE GOVERNOR

## Notice of Veto

October 27, 2006

*To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania*

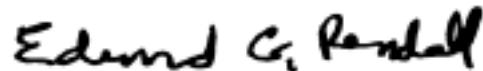
I am returning, without my approval, House Bill 2545, which amends certain provisions of the parking authorities' law primarily relating to the regulation of taxicabs and limousines in cities of the first class.

One of the most troubling aspects of the bill is the provision that allows the Philadelphia Parking Authority to depart from the standard administrative law practice of setting forth clear and understandable reasons why a particular decision, following a hearing to contest the Authority's action with respect to the rights or obligations of a taxicab or limousine owner, was made. The grounds upon which a taxicab or limousine owner may appeal a decision are limited, so how is the owner supposed to know if he or she has grounds for an appeal if the Authority's hearing officer doesn't have to include his or her reasons in the decision? Because such a decision could involve taking away an owner's right to make a living, this seems to be patently unfair and bordering on a violation of due process for the taxicab or limousine owner. At the very least, it will mean that everyone who receives an unfavorable decision will automatically have to file an appeal—and, most likely, spend some amount of money to hire a lawyer to do so—even before they know whether they have any chance of being successful.

Moreover, the bill is fraught with provisions that are confusing and seem not to serve the interests of the Parking Authority or the citizens it was created to serve. For example, the bill exempts limousines and taxicabs that operate in Philadelphia, but are "based outside" of the city from the oversight of the Authority. Besides the fact that the bill does not define what being "based outside" of the city means, it seems that this gives suburban taxicab and limousine services a distinct advantage over those that are located in the city for no apparent good reason. It also may induce companies that are already located in Philadelphia to move out of the city, which obviously is not good for the city's overall economy. In addition, House Bill 2545 exempts all parking authorities from compliance with the most important provisions of the Commonwealth Procurement Code—those relating to the openness with which contracts must be bid and awarded. This can only result in the loss of faith by the public in the integrity of these authorities.

Finally, the bill exempts wheelchair accessible taxicabs from the prohibition in the current statute that a taxicab cannot be more than eight years old. There does not seem to be a good reason for this exemption.

For all of these reasons, I must withhold my approval from House Bill 2545.



Governor

[Pa.B. Doc. No. 06-2192. Filed for public inspection November 9, 2006, 9:00 a.m.]

# GENERAL ASSEMBLY

## Recent Actions during the 2006 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2006 Regular Session.

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2006 GENERAL ACTS OF REGULAR SESSION ENACTED—ACT 120 THROUGH 132</b>					
120	Oct 27	HB0126	PN4579	Immediately	State Government (71 Pa.C.S.)—State Employees' Retirement Board administrative duties, defining "alternative investment" and "alternative investment vehicle"
121	Oct 27	HB0632	PN4757	60 days	Solicitation of Funds for Charitable Purposes Act—audit of certain financial reports
122	Oct 27	HB1285	PN4714	60 days	Transportation (74 Pa.C.S.) and Vehicles (75 Pa.C.S.)—revocation or suspension of operating privilege
123	Oct 27	HB2042	PN3962	60 days	Clean Streams Law—penalties; limitation on certain actions
124	Oct 27	HB2472	PN4580	July 1, 2007	Farmers' Market Development Act—enactment
125	Oct 27	HB2631	PN4639	90 days	Real Estate Licensing and Registration Act—disclosure at initial interview and defining "commercial property"
126	Oct 27	SB0063	PN1988	60 days	Domestic Relations Code (23 Pa.C.S.)—exception to oral examination for members of active military, reserves or Pennsylvania National Guard on active duty; child protective services investigative reports and county agency protective services requirements
127	Oct 27	SB0599	PN1991	60 days	Extending Bernard (Benny) J. Dombrowski Memorial Highway, Armed Forces and Veterans Memorial Highway designation, Beech Creek Veterans Memorial Bridge designation, Rosa Parks Memorial Highway designation and Senator Hank Salvatore Drive designation
128	Oct 27	SB0972	PN2098	Immediately*	Medical Care Availability and Reduction of Error (Mcare) Act—definition of "emergency physician" in Health Care Retention Program, abatement program and expiration
129	Oct 27	SB0983	PN2112	60 days	Vital Statistics Law of 1953—registration districts, local registrars' duties and death and fetal death registration
130	Oct 27	SB1148	PN1894	60 days	Second Class City Policemen Relief Law—benefits for pensioners, surviving spouses, children and parents of police officers
131	Oct 27	SB1242	PN2105	Immediately	Port of Pittsburgh Commission Act—definition of "port district"
132	Oct 28	SB1158	PN1661	Immediately	Residential Visitability Design Tax Credit Act—enactment
<b>2006 VETOES OF REGULAR SESSION OF BILLS—VETO 007 THROUGH 008</b>					
007	Oct 27	HB1813	PN4619	Dec 1, 2006	Allocation of funds to county mental health and mental retardation programs
008	Oct 27	HB2545	PN4515	Immediately*	General Local Government Code (53 Pa.C.S.)—omnibus amendments

\*denotes an effective date with exceptions

**Effective Dates of Statutes**

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

**Advance Copies of Statutes**

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

ROBERT W. ZECH, Jr.,  
*Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 06-2193. Filed for public inspection November 9, 2006, 9:00 a.m.]

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### [231 PA. CODE CH. 1920]

#### Amendments to the Rules of Civil Procedure Relating to Domestic Relations Matters; Recommendation 86

The Domestic Relations Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend the Rules of Civil Procedure relating to domestic relations matters as set forth herein. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

Notes and explanatory comments which appear with proposed amendments have been inserted by the committee for the convenience of those using the rules. Reports, notes and comments will not constitute part of the rules and will not be officially adopted or promulgated by the Supreme Court.

The committee solicits and welcomes comments and suggestions from all interested persons prior to submission of this proposal to the Supreme Court of Pennsylvania. Please submit written comments no later than Friday, January 12, 2007 directed to:

Patricia A. Miles, Esquire  
Counsel, Domestic Relations Procedural Rules Committee  
5035 Ritter Road, Suite 700  
Mechanicsburg, Pennsylvania 17055  
FAX (717) 795-2175  
E-mail: patricia.miles@pacourts.us

Deleted material is bold and bracketed. New material is boldface.

*By the Domestic Relations  
Procedural Rules Committee*

NANCY P. WALLITSCH, Esq.,  
*Chair*

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1920. ACTIONS OF DIVORCE OR FOR ANNULMENT OF MARRIAGE

#### Rule 1920.14. Answer. Denial. Affidavit under Section 3301(d) of the Divorce Code.

(a) The averments in the complaint as to the divorce or annulment [ **and** ], all other claims which may be joined under the [ **Divorce Code** ] **Domestic Relations Code and any petition for special relief under these rules shall be deemed denied unless admitted by an answer.**

\* \* \* \* \*

#### Explanatory Comment—2007

Subdivision (a) has been amended to clarify that the averments in a petition for special relief in a

divorce or annulment action are deemed to be denied unless admitted by an answer.

[Pa.B. Doc. No. 06-2194. Filed for public inspection November 9, 2006, 9:00 a.m.]

### PART I. GENERAL

#### [231 PA. CODE CH. 3000]

#### Amendment of Rule 3129.3 Governing the Execution Sale of Real Property; No. 465 Civil Procedural Rules; Doc. No. 5

#### Order

*Per Curiam:*

*And Now*, this 24th day of October, 2006 Pennsylvania Rule of Civil Procedure 3129.3 is amended to read as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective January 1, 2007.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 3000. JUDGMENTS

#### Subchapter D. ENFORCEMENT OF MONEY JUDGMENTS FOR THE PAYMENT OF MONEY

Rule 3129.3. Postponement of sale; new notice. **Failure of Plaintiff to Attend Sale.**

(a) Except as provided by subdivision (b) or special order of court, new notice shall be given as provided by Rule 3129.2 if a sale of real property is stayed, continued, postponed or adjourned.

(b) If the sale is stayed, continued, postponed or adjourned to a date certain within **one hundred one hundred thirty** days of the scheduled sale, **notice of which sale was given as provided by Rule 3129.2**, and public announcement thereof, including the new date, is made to the bidders assembled at the time and place [ **originally** ] fixed for the sale, no new notice **as provided by Rule 3129.2** shall be required, but there may be only [ **one such stay, continuance, postponement or adjournment** ] **two such stays, continuances, postponements or adjournments within the one hundred thirty day period** without new notice.

(c) **If the plaintiff or a representative of the plaintiff is not present at the sale, the real property shall not be sold. The sheriff shall return the writ of execution to the prothonotary and file a return pursuant to Rule 3139 indicating that the real property was not sold because the plaintiff or a representative of the plaintiff was not present at the sale. Thereafter, the writ may be reissued pursuant to Rule 3106.**

**Explanatory Comment**

*Rule 3129.3(b)—Postponement of execution sale of real property*

Rule 3129.3(b) formerly provided for one postponement of a sale of real property upon execution to a date within one hundred days of the scheduled sale without giving new notice of sale required by Rule 3129.2. The rule has been amended to permit two postponements within a period of one hundred thirty days of the scheduled sale without giving new notice. The amendment provides flexibility where more than one postponement is needed, saving time and expense. New notice under Rule 3129.2 is required when additional postponements of the sale are required.

*Rule 3129.3(c)—Failure of plaintiff to appear at execution sale of real property*

Prior to the present amendment, the execution rules did not provide for the instance when the plaintiff, whether in person or by representative, does not attend the sale of real property. New subdivision (c) of Rule 3129.3 addresses this issue. Subdivision (c) provides that, if the plaintiff is not present at the sale, "the real property shall not be sold." In such a case, the sheriff is directed to "return the writ of execution to the prothonotary and file a return pursuant to Rule 3139." The plaintiff may again seek to have the property sold but must recommence the proceedings by having the writ of execution reissued pursuant to Rule 3106 and giving new notice under Rule 3129.2.

*By the Civil Procedural Rules Committee*

R. STANTON WETTICK, Jr.,  
*Chair*

[Pa.B. Doc. No. 06-2195. Filed for public inspection November 9, 2006, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### MONTGOMERY COUNTY

**Bail Money Applied to Fines, Costs and Restitution; AD 302-2006**

**Order**

*And Now*, this 20th day of October, 2006, except where a written bail assignment in satisfaction of attorneys' fees has been docketed prior to the imposition of sentence, in all cases where the defendant has deposited cash bail, the Clerk of Courts is authorized to apply cash bail deposited by the defendant himself or herself to satisfy any court costs, fines or restitution imposed under the sentence of the court.

*By the Court*

S. GERALD CORSO,  
*President Judge.*

[Pa.B. Doc. No. 06-2196. Filed for public inspection November 9, 2006, 9:00 a.m.]

**UNION AND SNYDER COUNTIES**

**Adoption of Local Rules; No. MC-21-2006; CP-55-AD-4-2006**

**Order**

*And Now*, this 12th day of October, 2006, it is hereby *Ordered* as follows:

1. Local Rule of Civil Procedure 17CV1301.1 (A) is hereby amended to change the amount in controversy subject to compulsory arbitration from Thirty-Five Thousand Dollars (\$35,000) or less to Fifty Thousand Dollars (\$50,000) or less. The Court accordingly hereby adopts the Rule as set forth in Appendix "A."

2. The rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

3. The Court Administrator of the 17th Judicial District is ordered and directed to do the following:

3.1. File seven (7) certified copies of this Order and of the pertinent Rules with the Administrative Office of Pennsylvania Courts.

3.2. File two (2) certified copies and a computer diskette containing this Order and the pertinent Rule with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3.3. File one (1) certified copy of this Order and the pertinent Rule with the Civil Procedural Rules Committee.

3.4. Provide one (1) copy of this Order and the Local Rule to each member of the Union-Snyder County Bar Association who maintain an active practice in Union or Snyder Counties.

3.5. Keep continuously available for public inspection, copies of this Order and the Local Rules.

*By the Court*

HAROLD F. WOELFEL, Jr.,  
*President Judge*

**APPENDIX "A"****17CV1301.1 Cases for Submission.**

A. Compulsory arbitration of matters as authorized by Section 7361 of the Judicial Code, 42 Pa.C.S. Section 101, et seq. shall apply to all cases at issue where the amount in controversy shall be Fifty Thousand Dollars (\$50,000) or less. The amount in controversy shall be determined from the pleadings or by an agreement of reference filed by the attorneys. The amount in controversy, when determined from the pleadings, shall be the largest amount claimed by any one party. In the event that a case within arbitration limits is consolidated with a case involving more than arbitration limits after the former has been referred to a board of arbitrators, the order of consolidation will remove the same from the jurisdiction of the board of arbitrators.

[Pa.B. Doc. No. 06-2197. Filed for public inspection November 9, 2006, 9:00 a.m.]



## UNION AND SNYDER COUNTIES

Judicial Administration; No. MC-22-2006; CP-55-AD-5-2006

## Order

And Now, this 12th day of October, 2006, pursuant to the requirements of Pa.R.Crim.P. 117, it is hereby *Ordered* that 17th Judicial District Rule of Criminal Procedure, 17CR117 Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail, be and the same is hereby adopted in the following form:

**17CR117 Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail**

1. Magisterial District Judge offices shall be open to meet the needs of the public and the court for regular business on Mondays through Fridays, excluding holidays, during hours established by Order of the President Judge.
2. Continuous coverage for the issuance of search warrants and arrest warrants, the holding of preliminary arraignments and summary trials, the setting and accepting of bail and collateral, and the accepting of complaints shall be by the traditional on-call system as presently established. The President Judge shall establish the schedule of assignment of Magisterial District Judges to on-call duty.
3. An on-call Magisterial District Judge and the Clerk of Courts shall accept bail in accordance with the provisions of the Pennsylvania Rules of Criminal Procedure. Only the Clerk of Courts shall accept the posting of realty.

*It Is Further Ordered* that seven (7) certified copies of this Order shall be filed with the Administrative Office of Pennsylvania Courts, that two (2) certified copies and one (1) diskette shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, that one (1) certified copy shall be filed with the Criminal Procedural Rules Committee of the Supreme Court of Pennsylvania, and that one (1) copy shall be filed with

the Clerk of Courts of the 17th Judicial District, Snyder County Branch, and with the Clerk of Courts of the 17th Judicial District, Union County Branch.

*By the Court*

HAROLD F. WOELFEL, Jr.,  
*President Judge*

[Pa.B. Doc. No. 06-2198. Filed for public inspection November 9, 2006, 9:00 a.m.]

## YORK COUNTY

Fee Bill for the Office of the Register of Wills and Clerk of Orphans' Court; No. 67-01-0007

## Administrative Order

And Now, this 23rd day of October, 2006, pursuant to the provisions of 42 P.S. § 21032.1, the fee bill of the Register of Wills and Clerk of Orphans' Court, of York County, Pennsylvania, is amended as indicated on the proposed fee bill that follows. The fee bill shall be effective the 1st day of January, 2007, upon due advertisement as required by the Administrative Rules of Court.

*It Is Further Ordered* that in accordance with Pa.R.C.P. 239, the District Court Administrator shall:

- (a) File 7 certified copies thereof with the Administrative Office of Pennsylvania Courts;
- (b) Distribute 2 certified copies hereof to the Legislative Reference Bureau for Publication in the *Pennsylvania Bulletin*;
- (c) Cause a copy hereof to be published in the *York Legal Record* once a week for 2 successive weeks at the expense of the County of York; and
- (d) Supervise the distribution thereof to all Judges and all members of the Bar of this Court.

*By the Court*

RICHARD K. RENN,  
*President Judge*

# FEE BILL

## CLERK OF ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

And now, by Order of Court this 23rd day of October, 2006, the following bill of costs is established pursuant to 42 P.S. Section 21032.1. This Order is effective the 1st day of January, 2007.

<b>ACCOUNTS</b>	
For the filing, advertising and adjudication of accounts of guardians and trustees	
Total debits not over \$2,000	\$ 75.00
Over \$2,000 but not over \$5,000	80.00
Over \$5,000 but not over \$10,000	85.00
Over \$10,000 but not over \$25,000	110.00
Over \$25,000 but not over \$50,000	135.00
Over \$50,000 but not over \$100,000	165.00
Each additional \$100,000 or fraction thereof, and additional	100.00
<b>ADOPTION</b>	
Petition, Certificate and Report of Intermediary Voluntary or Involuntary Termination, Confirm Consent	35.00 **
Costs of Investigation to be determined by the Court under the circumstance in each case.	
Report of intent	10.00
Act 34 Fund	75.00
Certificate of Adoption	5.00
<b>AFFIDAVIT or OATH</b>	10.00
<b>ANSWER</b>	10.00
<b>APPEAL</b> to Appellate Court filing fee	35.00
Superior Court/Supreme Court	60.00
<b>AUTOMATION FEE</b>	
Clerk of Orphans' Court	5.00
<b>BIRTH/DEATH RECORD</b>	
Certificate from original Birth	10.00
Death	9.00
Delayed registration Birth	10.00
Death	9.00
<b>CERTIFICATION*</b>	5.00
<b>CERTIFICATION*</b> under Act of Congress	25.00
*Plus \$1.00 per page if copy is not furnished	
Certificate of Authority	2.00
<b>CITATION</b>	
Petition and issuing, one respondent	35.00
Each additional respondent	5.00
File a claim	10.00
<b>CLAIM</b>	10.00
Satisfaction or withdrawal	5.00
<b>COPY</b> of any instrument, per page of copy (certification extra)	1.00
<b>DISCLAIMER</b>	10.00
<b>ELECTION</b> under or against Will	10.00
<b>EXCEPTIONS/OBJECTIONS</b>	10.00
<b>FAMILY EXEMPTION</b>	
Personalty	15.00
Realty (one purpart)	20.00
Each additional purpart	3.00
Advertising	50.00

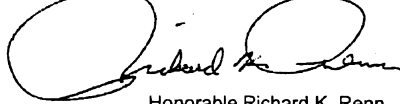
\*\*Pennsylvania Judicial Computer Project Fee  
\*\*\*Clerk of Orphans' Court Automation Fee

Attest:  
*Gregory M. Snyder*  
Orphans' Court Judge

Attest:  
*Bradley C. Jacobs*  
Clerk of Orphans' Court

<b>INCAPACITATED ESTATES</b>	
Petition, citation and appointment of guardian	\$35.00 **
Entry of security	10.00
Inventory	10.00
Order of Allowance	10.00
Petition for Sale	35.00
<b>MINOR'S ESTATE</b>	
Petition for appointment of guardian per child	35.00 **
Entry of Security	10.00
Inventory	10.00
Petition for Order of Allowance	10.00
Report of guardian ad litem	5.00
<b>MARRIAGE</b>	
Waiver (Military-Free)	20.00
License, application, Affidavits, taxes, automation fee and one(1) certified copy	50.00
Consent of parents	5.00
Certified copy of license and return of marriage	5.00
Certified copy of application	5.00
<b>PA JUDICIAL COMPUTER PROJECT FEE</b>	10.00
<b>PETITION (MISCELLANEOUS)</b>	35.00 **
<b>POWER OF ATTORNEY</b>	20.00
<b>PRAECIPE/JOINDER</b>	5.00
<b>PRESUMED DECEDENT</b>	
Petition and final decree	35.00 **
<b>REAL ESTATE OF DECEDENTS</b>	
Sale or Mortgage	35.00 **
Execution of deed by Clerk	10.00
Approval of security and the entry thereof	10.00
Excuse from security	10.00
Leave to bid at public sale	10.00
Decree of confirmation of title	10.00
<b>RELEASE</b> , first page	5.00
Each additional page	1.00
<b>RETURNED CHECK</b>	20.00
<b>SHORT CERTIFICATE</b>	5.00
<b>SMALL ESTATE (DECEDENTS or MINORS)</b>	35.00 **
<b>STIPULATION</b>	10.00
<b>SUBPOENA</b>	10.00
<b>TRUSTEE</b>	
Petition for appointment	35.00 **
Entry of security	10.00
Report of Trustee and litem	10.00
Resignation	10.00
<b>MISCELLANEOUS FILING</b>	10.00

NOTE: In cases not herein specifically provided for, the Clerk of Orphans' Court shall make the same charge as that imposed for services of a substantially similar nature. All orders heretofore establishing feebill for the Clerk of Orphans' Court of York County shall be revoked and superseded as of the effective date hereof.

By the Court:  
  
Honorable Richard K. Renn  
President Judge in the Court of Common Pleas  
of York County, Pennsylvania

Rev. 10-06

## YORK COUNTY

**Fee Bill for the Office of the Register of Wills and  
Clerk of Orphans' Court; No. 67-01-0007****Administrative Order**

*And Now*, this 23rd day of October, 2006, pursuant to the provisions of 42 P.S. § 21022.1, the fee bill of the Register of Wills and Clerk of Orphans' Court, of York County, Pennsylvania, is amended as indicated on the proposed fee bill that follows. The fee bill shall be effective the 1st day of January, 2007, upon due advertisement as required by the Administrative Rules of Court.

*It Is Further Ordered* that in accordance with Pa.R.C.P. 239, the District Court Administrator shall:

(a) File 7 certified copies thereof with the Administrative Office of Pennsylvania Courts;

(b) Distribute 2 certified copies hereof to the Legislative Reference Bureau for Publication in the *Pennsylvania Bulletin*;

(c) Cause a copy hereof to be published in the *York Legal Record* once a week for 2 successive weeks at the expense of the County of York; and

(d) Supervise the distribution thereof to all Judges and all members of the Bar of this Court.

*By the Court*

RICHARD K. RENN,  
*President Judge*

# FEE BILL

## REGISTER OF WILLS OF YORK COUNTY, PENNSYLVANIA

And now, by Order of Court this 23rd day of October, 2006 the following bill of costs is established pursuant to 42 P.S. Section 21022.1. This Order is effective the 1st day of January, 2007.

**ACCOUNTS**

For the filing, advertising and adjudication of the accounts of personal representatives.

Total debits not over \$2,000 . . . . . **\$ 75.00**  
 Over \$2,000 but not over \$5,000 . . . . . **80.00**  
 Over \$5,000 but not over \$10,000 . . . . . **85.00**  
 Over \$10,000 but not over \$25,000 . . . . . **110.00**  
 Over \$25,000 but not over \$50,000 . . . . . **135.00**  
 Over \$50,000 but not over \$100,000 . . . . . **165.00**  
 Each additional \$100,000 or fraction thereof, an additional . . . . . **100.00**

**LETTERS OF ADMINISTRATION and LETTERS TESTAMENTARY**

Total Assets not over \$2,000 . . . . . **\$ 10.00** ::  
 Over \$2,000 but not over \$5,000 . . . . . **30.00** ::  
 Over \$5,000 but not over \$10,000 . . . . . **40.00** ::  
 Over \$10,000 but not over \$25,000 . . . . . **60.00** ::  
 Over \$25,000 but not over \$50,000 . . . . . **75.00** ::  
 Over \$50,000 but not over \$100,000 . . . . . **100.00** ::  
 Each additional \$100,000 or fraction thereof, an additional . . . . . **100.00**  
 Renunciation per page . . . . . **5.00**  
 Waiver Fiduciary Bond . . . . . **5.00**

NOTE: Letters d.b.n. or d.b.n.c.t.a. minimum fee will be charged.

NOTE: Where inventory, tax return or account is of greater value than original estimated value for any letters the right is reserved to make an additional charge based upon such greater value.

**PROBATE OF WILLS AND CODICILS**

Probate and granting letters testamentary or administration c.t.a. - see schedule for letters above.  
 Probate without letters same as under each classification above less \$2.00  
 Probate of each codicil . . . . . **10.00**

**AUTOMATION FEE**

Register of Wills . . . . . **5.00**

BOND filing and entering . . . . . **5.00**

CAVEAT filing including bond . . . . . **20.00**

**NO PROBATES ACCEPTED WITHOUT DEATH CERTIFICATE**

\*\*Pennsylvania Judicial Computer Project Fee  
\*\*\*Register of Wills Automation Fee

Attest:  
*Gregory M. Snyder*  
 Orphans' Court Judge

Attest:  
*Bradley C. Jacobs*  
 Register of Wills

Rev. 10-06

CERTIFICATION\* . . . . . **5.00**  
 CERTIFICATION\* under Act of Congress . . . . . **25.00**  
 \*Plus \$1.00 per page if copy is not furnished

CERTIFYING RECORD to Orphans' Court upon appeal . . . . . **10.00**

CITATION  
 Petition and issuing, one respondent . . . . . **35.00** ::  
 Each Additional respondent . . . . . **5.00**

COMMISSION to taken testimony . . . . . **10.00**

COPY or FAX of any filed instrument per page of copy (certification extra) . . . . . **1.00**

EXECUTION OF COMMISSION from other Register of Pennsylvania or foreign jurisdiction . . . . . **10.00**

FOREIGN JURISDICTION'S CERTIFIED OR EXEMPLIFIED COPIES OF LETTERS AND PROCEEDINGS filing and entering . . . . . **25.00**  
 Non resident affidavit re debts . . . . . **5.00**

GENEOLOGICAL RESEARCH per hour or fraction thereof (on a time available basis) . . . . . **10.00**

INHERITANCE TAX RETURN . . . . . **10.00**  
 Supp Inheritance Tax Return . . . . . **10.00**  
 (No charge for filing with account)  
 (No charge for insolvent Returns)  
 Letter protesting tax appraisalment . . . . . **5.00**  
 Certificate of payment . . . . . **10.00**

INVENTORY . . . . . **10.00**

PA JUDICIAL COMPUTER PROJECT FEE . . . . . **10.00**

PETITION (MISCELLANEOUS) . . . . . **35.00** ::

PRAECIPE/JOINDER . . . . . **5.00**

SHORT CERTIFICATE . . . . . **5.00**

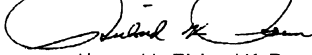
SUBPOENA . . . . . **10.00**

REGISTERS HEARING . . . . . **50.00**

RETURNED CHECK . . . . . **20.00**

MISCELLANEOUS FILING . . . . . **10.00**

NOTE: In cases not herein specifically provided for, the Register shall make the same charge as that imposed for services of a substantially similar nature. All orders heretofore establishing fee bill for the Register of Wills of York County shall be revoked and superseded as of the effective date hereof.

By the Court:  
  
 Honorable Richard K. Renn  
 President Judge in the Court of Common Pleas of York County, Pennsylvania

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending October 31, 2006.

### BANKING INSTITUTIONS

#### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-25-06	TriState Capital Bank Pittsburgh Allegheny County	Pittsburgh	Approved

#### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-25-06	County National Bank Clearfield Clearfield County <i>To:</i> CNB Bank Clearfield Clearfield County	Clearfield	Filed

Represents conversion from a National banking association to a State-chartered bank and trust company.

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-11-06	First Commonwealth Bank Indiana Indiana County	301 Mt. Lebanon Blvd. Pittsburgh Allegheny County	Opened
9-25-06	First Commonwealth Bank Indiana Indiana County	2501 East Carson Street Pittsburgh Allegheny County	Opened
10-16-06	CommunityBanks Millersburg Dauphin County	1205 Carlisle Road York West Manchester Township York County	Opened
10-24-06	Fulton Bank Lancaster Lancaster County	1201 West Chester Pike West Chester West Goshen Township Chester County	Opened
10-25-06	Peoples State Bank of Wyalusing Wyalusing Bradford County	205 West Lockhart Street Sayre Bradford County	Opened
10-27-06	United-American Savings Bank Pittsburgh Allegheny County	3515 Washington Road McMurray Washington County	Application Withdrawn

#### Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-23-06	AmeriServ Financial Bank Johnstown Cambria County	<i>Into:</i> 1383 Shoemaker Street Nanty Glo Cambria County  <i>From:</i> 928 Roberts Street Nanty Glo Cambria County	Effective

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-8-06	First Commonwealth Bank Indiana Indiana County	Shop 'N Save 799 Castle Shannon Road Pittsburgh Allegheny County	Effective
10-30-06	Union Bank and Trust Company Pottsville Schuylkill County	Weis Supermarket Route 61 and St. Clair Avenue Pottsville Schuylkill County	Approved

**SAVINGS INSTITUTIONS**

No activity.

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

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-25-06	Butler Armco Employees Credit Union, Butler, and Butler County Postal Employees Federal Credit Union, Butler Surviving Institution— Butler Armco Employees Credit Union, Butler	Butler	Approved

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

VICTORIA A. REIDER,  
*Acting Secretary*

[Pa.B. Doc. No. 06-2201. Filed for public inspection November 9, 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0054721	Joseph and Sondra McGeever 2390 N. Feathering Road Media, PA 19063	Delaware County Upper Providence Township	UNT of Ridley Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0062481	Rico Carisch and Alessandra Bernasconi 20 Canal Road Easton, PA 18042	Williams Township Northampton County	Delaware River 02D	Y
PAS232209	Jeld-Wen, Inc. 700 West Main Street Ringtown, PA 17967	Ringtown Borough Schuylkill County	UNT to Dark Creek HQ-CWF  UNT to Little Catawissa Creek CWF 3A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0084452 (Amendment No. 2)	Military Headquarters Service—Raven Rock Mountain Complex Site R 201 Beasley Dr. Fort Detrick, MD 21702	Adams County Liberty Township	UNT Miney Branch CWF	Y
PA0083861 (Sewage)	George Shoemaker Benner's Country Restaurant 229 Wood Street Camp Hill, PA 17011	Juniata County Delaware Township	Juniata River WWF	Y
PA0008087 (IW)	The Hershey Company 19 East Chocolate Avenue Hershey, PA 17033	Dauphin County Derry Township	Spring Creek 7-D	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0082066 (IW)	Valley Proteins, Inc. 151 ValPro Drive P. O. Box 3588 Winchester, VA 22604-2586	Lancaster County East Earl Township	Muddy Creek 7-J	Y
PA0083771 (IW)	Turkey Hill Dairy 2601 River Road Conestoga, PA 17516-9630	Lancaster County Manor Township	Manns Run 7-J	Y
PA0085006 (SEW)	Conoy Township—Bainbridge STP 211 Falmouth Road Bainbridge, PA 17502-9801	Lancaster County Conoy Township	Conoy Creek 7-G	Y
PA0085022 (SEW)	Conoy Township—Falmouth STP 211 Falmouth Road Bainbridge, PA 17502-9801	Lancaster County Conoy Township	UNT Susquehanna River 7-G	Y
PA0246689 (SEW)	Rande W. Brown 153 Hidden Valley Lane Bedford, PA 155222	Bedford County Cumberland Valley Township	UNT Oster Run 13-A	Y
PA0084751 (SEW)	Doubling Gap Center, Inc. 1550 Doubling Gap Road Newville, PA 17241-9757	Cumberland County Lower Mifflin Township	Doubling Gap Creek 7-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0228478	East Chillisquaue Township 529 Broadway Milton, PA 17847	Northumberland County East Chillisquaue Township	Chillisquaue Creek 10D	Y

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

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

**PA0060321**, Sewage, **Birchwood, LLC**, P. O. Box 246, 99 Lindley Avenue, Factoryville, PA 18419-0246. This proposed facility is located in Overfield Township, **Wyoming County**.

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

The receiving stream UNT to South Branch to Tunkhannock Creek is in the State Water Plan Watershed 4F and is classified for CWF. The nearest downstream public water supply intake for Danville is located on Susquehanna River below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.02 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10.0		20.0
Total Suspended Solids	30.0		60.0
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.50		5.0
(11-1 to 4-30)	7.50		15.0
Dissolved Oxygen	a minimum of 6.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.04		0.09
Ammonia-N	Monitor and Report		
Kjeldahl-N	Monitor and Report		
Nitrate-Nitrite as N	Monitor and Report		
Total Nitrogen	Monitor and Report		
Total Phosphorus	Monitor and Report		



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

**Application No. PA 0088251**, Sewage, **Upper Bern Township**, 25 North Fifth Street, Shartlesville, PA 19554. This facility is located in Upper Bern Township, **Berks County**.

Description of activity: The application is for an NPDES permit to expand an existing discharge of treated sewage from 0.055 mgd to 0.155 mgd.

The receiving stream Wolf Creek in Watershed 3-C and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Western Berks Water Authority is located on the Tulpehocken Creek, approximately 15 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.155 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	6.5		13
(11-1 to 4-30)	19		38
Total Phosphorus	1.0		2.0
Total Residual Chlorine	0.28		0.94
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		4,600/100 ml as a geometric average	

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

The EPA waiver is in effect.

**Application No. PA 0247511**, Concentrated Animal Feeding Operation (CAFO), **Walnut Run Farms**, 292 Elm Road, Lititz, PA 17543.

Carl and John Myer have submitted an NPDES permit application for Walnut Run Farms, an existing dairy operation located in Penn Township, **Lancaster County**. The CAFO is situated near a UNT of Chiques Creek (Watershed 7-G), which is classified as a WWF. The CAFO has a target animal population of approximately 1,398 animal equivalent units consisting of 725 milking, prefresh and dry cows, 385 heifers, and 290 calves on its home farm and eight satellite farms. There are two liquid manure storage facilities at the home farm with a combined storage capacity of approximately 1.2 million gallons.

The Department of Environmental Protection (Department) has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

Following the 30-day comment period, the Watershed Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board. The Environmental Protection Agency permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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

**PA0252701-A1**, Industrial Waste, SIC, 4922, **Dominion Transmission, Inc.**, 1201 Pitt Street, Pittsburgh, PA 15221. This application is for issuance of an NPDES permit to discharge groundwater from the South Bend Compressor Station in South Bend Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Crooked 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 the Buffalo Township Municipal Authority, located at Freeport, 29.4 miles below the discharge point.

*Outfall 001*: existing discharge, design flow of 0.0025 mgd, interim limits.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Total Suspended Solids			Monitor and Report		
Iron, dissolved			Monitor and Report		
Iron, total			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

*Outfall 001*: Final Limits.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
Total Suspended Solids			35		70
Iron, dissolved					7.0
Iron, total			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

*Other Conditions*: This permit amendment is issued under a Consent Order and Agreement between the parties and is a settlement of the appeal docketed at EHB Docket No. 2005-037-L.

**PA0094706**, Sewage, **Economy Development Company, Inc.**, 1259 Freedom Crider Road, Freedom, PA 15042. This application is for renewal of an NPDES permit to discharge treated sewage from Tri-County Soccer and Sports Center Sewage Treatment Plant in New Sewickley Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of North Fork Big Sewickley Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply, and recreation. The first downstream potable water supply intake from this facility is the Midland Borough Water Authority located on the Ohio River.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	2.0			4.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.02			0.04
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0217514**, Sewage, **Honeywell Electronic Materials, Inc.**, 195 Hartzell School Road, Fombell, PA 16123-9518. This application is for renewal of an NPDES permit to discharge treated sewage from Honeywell Electronic Materials Sewage Treatment Plant in Marion Township, **Beaver County**.

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

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Phosphorus	2			4
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
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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

**WQM Permit No. 5406403**, Sewerage, **Cressona Borough Authority**, 58 South Sillyman Street, Cressona, PA 17929. This proposed facility is located in Cressona Borough, **Schuylkill County**, PA.

Description of Proposed Action/Activity: This project consists of replacement of an existing belt filter press to the Cressona Borough Authority's Wastewater Treatment Plant.

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

**WQM Permit No. 2892403 Amendment 06-1**, Sewerage, **Five Forks Brethren in Christ Church**, 9244 Five Forks Road, Waynesboro, PA 17268. This proposed facility is located in Quincy Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking approval to replace the existing 1,000 gallon dosing tank with an aerated 5,000 gallon flow equalization/dosing tank.

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

**WQM Permit No. 5906401**, Sewerage 4952, **Clymer Township Municipal Authority**, P. O. Box 62, Sabinsville, PA 16943. This facility is located in Clymer Township, **Tioga County**.

Description of Proposed Action/Activity: The applicant is proposing to increase its organic loading capacity from 40 to 68 pounds per day of BOD<sub>5</sub>.

**WQM Permit No. 5906402**, Sewerage, **Lawrenceville Borough Authority**, P. O. Box 115, Lawrenceville, PA 16929. This proposed facility is located in Lawrenceville Borough, **Tioga County**.

Description of Proposed Action/Activity: Installation of a plate and frame press with all ancillary equipment to operate.

**WQM Permit No. 5306401**, Sewerage, **Ulysses Municipal Authority**, 522 Main Street, Ulysses, PA 16948. This proposed facility is located in Bingham Township, **Potter County**.

Description of Proposed Action/Activity: Upgrade of a pump station, including a new wet well and pump system.

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI010906030	Jerome and Diane Giuliano 2774 Sugas Road Solebury, PA 18963	Bucks	Solebury Township	Paunnacussing Creek HQ-CWF
PAS10-G464-R	Trammell Crow Development 300 Conshohocken State Road Suite 250 Conshohocken, PA 19428	Chester	East Whiteland and Tredyffrin Townships	Cedar Hollow Run EV
PAI011506083	The Richard James Group 48 General Warren Boulevard Malvern, PA 19355	Chester	West Goshen and West Whiteland Townships	Broad Run HQ

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011506084	Westgate Village Associates, LP 78 Main Street Marlton, NJ 08053	Chester	East Whiteland Township	Valley Creek EV

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q218-R	Jonathan Grebow Atlantic Equity Cetronia, LLC 485A Route 1 South Iselin, NJ 08830	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10S043-R	Mt. Pocono Borough 303 Pocono Blvd. Mt. Pocono, PA 18344	Monroe	Mt. Pocono Borough	Forest Hills Run 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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806028	Monocacy Heights, LP Timothy Faust 4383 Hecktown Road Suite J Bethlehem, PA 18020	Northampton	Plainfield Township	Little Bushkill Creek HQ-CWF, MF
PAI024806029	J.G. Pertrucci Co., Inc. 171 Route 173 Suite 201 Asbury, NJ 08802	Northampton	Forks Township	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032106009	Key Real Estate, LLC Key Logistics Park 421 McFarlan Road, Suite B Kennett Square, PA 19348	Cumberland	Penn Township	Yellow Breeches Creek HQ-CWF Mount Rock Spring Creek WWF

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

*Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044106002	Department of Transportation P. O. Box 218 Montoursville, PA 17754	Lycoming	Jackson, Lewis and Cogan House Townships	Packhorse Creek and Steam Valley Run North CWF Steam Valley South, Trout Run and Larry's Creek HQ-CWF

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

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

**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 (35 P. S. §§ 721.1—721.17)**

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

**Application No. 4806503**, Public Water Supply.

Applicant	<b>Lurrs</b> Lehigh Township <b>Northampton County</b>
Responsible Official	Mark Leuthe 499 Riverview Drive Walnutport, PA 18088 (610) 767-8545
Type of Facility	Community Water System
Consulting Engineer	Larry S. Turoscy, P. E. Lehigh Engineering Associates, Inc. 499 Riverview Drive Walnutport, PA 18088 (610) 767-8545
Application Received Date	October 20, 2006

Description of Action	Application for increasing the permitted capacity for Well No.1 and for construction of an additional 100,000 gallon finished water storage tank to serve Heritage Village development.
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*Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Permit No. 5006504 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Penn Township Municipal Authority</b>
Municipality	Penn Township
County	<b>Perry</b>
Type of Facility	This permit application is for a meter pit vault to serve Petersburg Commons in Penn Township.
Consulting Engineer	Dennis Crabill, P. E. Buchart Horn, Inc. 445 West Philadelphia Street York, PA 17401-7040

Permit to Construct Issued: 10/5/2006

**Operations Permit** issued to: Creek View Mobile Home Park, 7210001, Upper Frankford Township, **Cumberland County** on 10/31/2006 for the operation of facilities approved under Construction Permit No. 2103501.

**Operations Permit** issued to: Department of Conservation and Natural Resources, 7670801, Warrington Township, **York County** on 10/27/2006 for the operation of facilities approved under Construction Permit No. 6702502.

**Operations Permit** issued to: Hamburg Municipal Authority, 3060035, Hamburg Borough, **Berks County** on 10/23/2006 for the operation of facilities approved under Construction Permit No. 0606508 MA.

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

**Permit No. 6306502MA**, Public Water Supply.

Applicant	<b>Pennsylvania-American Water Company</b> 800 West Hersheypark Drive Hershey, PA 17033
Township or Borough	Jefferson Township
Responsible Official	Scott M. Thomas Operations Engineer Pennsylvania-American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Avella water storage tank
Consulting Engineer	
Application Received Date	October 23, 2006
Description of Action	Blasting and painting of the Avella Tank.

**Permit No. 3206501MA**, Public Water Supply.  
 Applicant **Pennsylvania-American Water Company**  
 800 West Hersheypark Drive  
 Hershey, PA 17033

Township or Borough White Township

Responsible Official Scott M. Thomas, Operations Engineer  
 Pennsylvania-American Water Company  
 800 West Hersheypark Drive  
 Hershey, PA 17033

Type of Facility Pleasant Hills water storage tank

Consulting Engineer

Application Received Date October 23, 2006

Description of Action Blasting and painting of the Pleasant Hills Tank.

**Permit No. 0206512**, Public Water Supply.  
 Applicant **Findlay Township Municipal Authority**  
 1271 Route 30  
 P. O. Box 409  
 Clinton, PA 15026

Township or Borough Findlay Township

Responsible Official Patrick O'Farrell, Authority Chairperson  
 Findlay Township Municipal Authority  
 1271 Route 30  
 P. O. Box 409  
 Clinton, PA 15026

Type of Facility Potato Garden Run Phase I Water System

Consulting Engineer NIRA Consulting Engineers, Inc.  
 950 Fifth Avenue  
 Coraopolis PA 15108

Application Received Date October 17, 2006

Description of Action Installation of 24,700 feet of 12 inch and 16 inch ductile iron transmission line, a 1.5 mg water standpipe, disinfection facility and booster pump station.

#### MINOR AMENDMENT

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

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

**Application No. 0906512**, Minor Amendment.  
 Applicant **Pennsylvania American Water Company**

Township Lower Makefield

Responsible Official Paul A. Zielinski  
 800 West Hersheypark Drive  
 Hershey, PA 17033

Type of Facility PWS

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

Application Received Date October 23, 2006

Description of Action Blasting and repainting the interior and exterior of existing storage tank known as the William Lane Tank No. 2.

**Application No 4606509**, Minor Amendment.  
 Applicant **Pennsylvania American Water Company**

Township Worcester

Responsible Official Paul A. Zielinski  
 800 West Hersheypark Drive  
 Hershey, PA 17033

Type of Facility PWS

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

Application Received Date October 23, 2006

Description of Action Blasting and repainting the interior and exterior of the East Norristown Storage Tank.

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

**Application No. Minor Amendment**, Public Water Supply.  
 Applicant **PA-American Water Co.**  
 Moscow Borough  
**Lackawanna County**

Responsible Official Mark P. Cross, P. E.  
 Production Manager  
 Pennsylvania American Water Co.  
 100 N. Pennsylvania Avenue  
 Wilkes-Barre, PA 18701  
 (570) 830-6505

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date October 20, 2006

Description of Action Application to relocate the potassium permanganate injection point at the Scranton Area WTP.

**Minor Amendment**, Public Water Supply.  
 Applicant **PA-American Water Co.**  
 Carbondale Borough  
**Lackawanna County**

Responsible Official Scott M. Thomas, P. E.  
Sr. Operations Engineer  
Pennsylvania American Water Co.  
852 Wesley Drive  
Mechanicsburg, PA 17055-4475  
(717) 691-2120

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date October 24, 2006

Description of Action Application for rehabilitating an 800,000 gallon finished water storage tank.

Application Received Date 10/12/2006

Description of Action System modifications to convert emergency back-up storage to permanent storage.

**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: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**WA 06-1024, Water Allocations. Morgantown Properties, LP, Berks County.** This application is to withdraw 288,000 gallons per day on a peak daily basis from Back Creek/Mill Pond. This application is being republished in the *Pennsylvania Bulletin* because the permittee's name has changed from New Morgan Properties, LP to Morgantown Properties, LP. No other changes have been made to the previous application that was published at 36 Pa.B. 837 (February 18, 2006). Consulting Engineer: R.Scott Hughes, Gannett Fleming, Inc Application Received: 1/12/2006

**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

**Minor Amendment, Public Water Supply.**

Applicant **Sand Springs Water Co., Inc.**  
Butler Township  
**Luzerne County**

Responsible Official Charles M. Tuskes, President  
Sand Springs Water Co., Inc.  
4511 Falmer Drive  
Bethlehem, PA 18020

Type of Facility PWS

Consulting Engineer William Schumacher, Jr., P. E.  
Schumacher Engineering, Inc.  
55 N. Conahan Dr.  
Hazleton, PA 18201

Application Received Date 10/16/2006

Description of Action Transfer of PWS facilities under PWS Permit No. 2400140 from Sand Springs Development Corporation to Sand Springs Water Co., Inc.

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

**Application No. 8898-W-MA2, Minor Amendment**

Applicant **Corner Water Supply & Service Corp.**

Township or Borough Elk Township  
**Clarion County**

Responsible Official Thomas E. Weaver, President

Type of Facility Public Water Supply

Application Received Date 10/16/2006

Description of Action Construction of addition to water plant to house liquid chlorine cylinders for disinfection of filtered water.

**Application No. 2578503-T1-MA1, Minor Amendment**

Applicant **Green Township Municipal Water System**

Township or Borough Greene Township  
**Erie County**

Responsible Official Mark J. Corey, P. E., Township Engineer

Type of Facility Public Water Supply

a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a Site-Specific Standard or as a special industrial area, the municipality within which the site is located may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

**US Steel Fairless Works Gravel Area**, Falls Township, **Bucks County**. Francis Adams, Golder Assoc., Inc., 1951 Old Cuthbert Road, Suite 301, Cherry Hill, NJ 08034 on behalf of Kathy Mayher, United States Steel Corp., 600 Grant St., Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of inorganics, solvents and PCBs. The proposed future use of the property will be nonresidential for gravel mining activities.

**Twins at Frankford Creek**, City of Philadelphia, **Philadelphia County**. Michelle E. Flowers, REPSG, P. O. Box 5377, 6901 Kingessing Ave., Suite 201, Philadelphia, PA 19142 on behalf of Robert LaBrum, Redevelopment Authority of Philadelphia, 1234 Market Street, 16th Floor, Philadelphia, PA 19107 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of solvents, inorganic and PAHs. The intended future use of the properties includes residential development.

**Eastern Prestressed Concrete Site**, Hatfield Township, **Montgomery County**. Craig Herr, RT Env., Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406 on behalf of Ryan Conner, PREI Hatfield Assoc., LP, 1001 E. Hector Road, Conshohocken, PA 10428 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of unleaded gasoline diesel fuel and No. 2 fuel oil. The intended future use of the property will remain the same.

**Philadelphia Medical Center**, City of Philadelphia, **Philadelphia County**. Rachel Burkart, Alternative Env., Solutions, Inc., 930 Pointview Ave., Suite B, Ephrata, PA 175622 on behalf of John Ingram, Philadelphia VA Medical Ctr., University and Woodland Ave., Philadelphia, PA 19104 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of No. 2 fuel oil. The future use of the property is not anticipated to change.

*Northeast Region: Ronald S. Brezinski, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Wegmans Distribution Center**, Cass Township, **Schuylkill County**. Richard Ley, MARCOR Remediation, Inc., 540 Trestle Place, Downingtown, PA 19335 has submitted a Notice of Intent to Remediate (on behalf of his client, Susan Roncone, Wegmans Food Markets, Inc., P. O. Box 30844, Rochester, NY 14603) concerning the remediation of soils found or suspected to have been impacted by diesel fuel as the result of an accidental release. The applicant proposes to remediate the site to meet the Statewide Health Standard. The proposed future use of the property will remain a retail service center. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

**Landon's Cedar Ledge Service Station Property**, Canton Township, **Bradford County**. Pennsylvania Tectonics, Inc., 826 Main St., Peckville, PA 18452 on behalf of Frank S. and Joyce C. Landon, Landon's Cedar Ledge Service Station, R. R. 2, Box 211, Canton, PA 17724 has submitted a Notice of Intent to Remediate groundwater contaminated with dissolved lead. The applicant proposes to remediate the site to meet the Statewide Health Standard. The proposed future use of the property will be for nonresidential, commercial purposes. A summary of the Notice of Intent to Remediate was reported to have been published in the *The Review* on July 6, 2006.

**Former Koppers Co., Inc.**, Clinton Township, **Lycoming County**. Key Environmental, Inc., 200 3rd Ave., Carnegie, PA 15106 on behalf of Beazer East, Inc., 1 Oxford Centre, Suite 3000, Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with polynuclear aromatic hydrocarbons, primarily naphthalene. The applicant proposes to remediate the site to meet the Statewide Health Standard. The intended future use of the property is nonresidential.

**Giant Foods, LLC**, Lamar Township, **Clinton County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Giant Foods, LLC, 1604 Industrial Dr., Carlisle, PA 17013 has submitted a Notice of Intent to Remediate soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard.

**Eileen McArdle Residence**, New Berlin Borough, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Eileen McArdle, 525 Market St., New Berlin, PA 17855 has submitted a Notice of Intent to Remediate soil and surface groundwater contaminated with No. 2 heating oil. The applicant proposes to remediate the site to meet the Statewide Health Standard.

#### **HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

**Applications received, withdrawn, denied or returned under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Waste Treatment, Storage or Disposal Facility**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.*

**PAD980550412. Lonza, Inc.**, 900 River Road, Conshohocken Pa 19428, Upper Merion Township, **Montgomery County**. This application was received for a



modification request seeking permission to make changes to the permitted waste tank storage area. Application was received by the Southeast Regional Office on October 24, 2006.

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

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

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

**Harrisburg Energy Alternatives.** Lower Allen Township, **Cumberland County** Permit No. 301351. This Solid Waste Permit No. 301351 is for the operation of a residual waste processing facility, issued in accordance with Article V of the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003). Compliance with the terms and conditions set forth in the permit is mandatory. Please note that issuance of this permit does not eliminate the necessity to comply with all Federal, State or local requirements at the permitted facility. You have the right to file an appeal as to these terms and conditions.

### 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 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.*

**28-05029A: Fayetteville Contractors, Inc.** (3185 Lincoln Way East, Fayetteville, PA 17222) for use of reclaimed oil as a fuel for their existing asphalt plant in Antrim Township, **Franklin County**.

**36-05140B: Valley Proteins, Inc.** (693 Wide Hollow Road, East Earl, PA 17519) for a replacement cross-flow scrubber in the feather processing room. The scrubber will be a larger scrubber to improve indoor air quality at the existing plant in East Earl Township, **Lancaster County**.

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

**14-328-002: Dominion Transmission, Inc.** (625 Liberty Avenue, Pittsburgh, PA 15222) for construction of a natural gas compressor station incorporating two 5,876 brake horsepower natural gas-fired turbines and an 814 brake horsepower natural gas-fired auxiliary generator in Spring Township, **Centre County**.

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

**61-210A: Glenn O. Hawbaker, Inc.** (1041 Stevenson Road, Harrisville, PA 16038) for a plan approval to construct an asphalt plant that will burn alternative fuels including Pennsylvanian mined coal at Glenn O. Hawbaker, Inc. Harrisville Plant in Barkeyville Township, **Venango County**.

**43-323A: Chautauqua Fiberglass and Plastics, Inc.** (80 Canal Street, Sharpsville, PA 16150) a plan approval for installation of a fiberglass pipe process at the Sharpsville facility in Sharpsville Borough, **Mercer County**.

**33-033D: Owens Brockway Glass Container** (Route 219, Brockport, PA 15823) modification of HEST process by substituting tin tetrachloride with mono-butyltin trichloride as the bottle coating agent by for the plant in Brockway, **Jefferson County**. The facility is a Title V Facility.

**42-158K: Temple-Inland Forest Products Corp.** (149 Temple Drive, Mt. Jewett, PA 15857) for modification of the PAL Plan Approval (42-158I) to include the existing board breaker by) for their Mt. Jewett wood composite panel facility in **McKean County**. The facility is a Title V Facility.

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

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

**46-0254B: Campania International, Inc.** (401 Fairview Avenue, Quakertown, PA 18951) for installation of cement silo and associated cartridge filter. This facility is a State-only facility in Upper Hanover Township, **Montgomery County**. The PM emissions are less than 1 ton 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.

**46-0254: Campania International, Inc.** (401 Fairview Avenue, Quakertown, PA 18951) for installation of a fiberglass layup room in Upper Hanover Township, **Montgomery County**. This facility is a State-only facility. The facility wide VOC emissions are less than 24.9 tons per year. Each HAP emissions are less than 10 tons per year. The combined HAP emissions are less than 25 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.

**46-0254A: Campania International, Inc.** (401 Fairview Avenue, Quakertown, PA 18951) for construction of a concrete casting operation in Upper Hanover Township, **Montgomery County**. This facility is a State-only facility. The facility wide VOC emissions are less than 24.9 tons per year. Each HAP emissions are less than 10 tons per year. The combined HAP emissions are less than 25 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.

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

**54-322-005: Commonwealth Environmental Systems—CES** (99 Commonwealth Road, Hegins, PA 17938) for construction of a landfill expansion and for an increase of the daily waste acceptance rate at the previously approved municipal solid waste landfill with an Active Gas Collection System with landfill gas flare (incinerator) for methane gas collection and recovery in Foster, Rielly and Frailly Townships, **Schuylkill 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. 54-322-005 to Commonwealth Environmental Systems (CES), 99 Commonwealth Road, Hegins, PA 17938 for their landfill in Foster, Rielly and Frailly Townships, Schuylkill County. This plan approval will be incorporated into the Title V operating permit No. 54-00054 through an admin-

istrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

The plan approval No. 54-322-005 is to construct a landfill expansion and increase the daily waste acceptance rate at the previously approved municipal solid waste landfill with an Active Gas Collection System with landfill gas flare (incinerator) for methane gas collection and recovery. The landfill expansion includes two new areas separated by the existing permitted landfill. The expansion area totals approximately 173.5 acres. Specifically, CES is requesting to increase the waste acceptance rate from the current rate of 2,100 tons per day to a proposed rate of 4,750 tons per day, the increase would be based on a ramp up schedule over a 2 year period to transition from the existing permitted acceptance rate to the proposed acceptance rate. The VOC emissions from the landfill will be controlled by enclosed landfill gas flares and shall not exceed 50 tons per year keeping the landfill below major source threshold. The Department will place conditions to limit the emissions from the landfill. 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.

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.

Interested persons may submit written comments, suggestions or objections which they believe should be considered prior to the issuance of this permit to the address shown in the preceding paragraph. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-322-005, and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period. 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, where the Department determines the 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) 826-2528 within 30 days after publication date.

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

**08-399-044C: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848-0504) for installation of an American Air Filter (AAF) model 10-672-8941 fabric collector (ID C195G) and an American Air Filter BioCel model BioCel-I final filter system (ID C195H) to control particulate matter emissions from the Hot and Cold Rolling department at their facility in North Towanda Township, **Bradford County**. The proposed fabric collector and final filter will replace an existing fabric collector. The facility is a State-only facility.

The Department of Environmental Protection's (Department) review of the information contained in the applica-

tion submitted by OSRAM indicates that the source and the air-cleaning devices will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the fugitive air contaminant emission requirement of 25 Pa. Code § 123.1, the PM emission limitation of 25 Pa. Code § 123.13 and the visible emission limitation of 25 Pa. Code § 123.41. The plan approval, if issued, will subsequently be incorporated in an operating permit via an administrative amendment in accordance with 25 Pa. Code § 127.450 at a later date.

Based upon this finding, the Department proposes to issue plan approval for the installation of an American Air Filter model 10-672-8941 fabric collector (ID C195G) and an American Air Filter BioCel model BioCel-I final filter system (ID C195H). The following is a summary of the conditions the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable regulatory requirements:

1. Source ID P195 is the Hot and Cold Rolling department consisting of the following sources:

- a. Farrel (Plate) Rolling Mill.
- b. GTE (Plate) Furnace.
- c. 500 Ton Wilson (Plate) Press.
- d. Abrasive Cutting Machine (model 364 wet saw).
- e. Waterbury-Farrel (Rod) Rolling Mill.
- f. GTE (Rod) Furnace.
- g. Plate Conveyor.

The PM emissions from all sources of Source ID P195 with the exception of the Abrasive Cutting Machine (model 364 wet saw) shall be controlled by the two American Air Filter model 14-480-8982 fabric collectors (IDs C195a and C195B) that operate in parallel and four final filter assemblies (IDs C195C, C195D, C195E and C195F) (2 filter assemblies per collector operating in parallel). In addition the PM emissions the GTE plate furnace, Farell plate rolling mill and the plate conveyor shall be additionally controlled by the AAF Model 10-672-8941 fabric collector (ID C195G) and an American Air Filter BioCel model BioCel-I final filter system (ID C195H).

2. The PM emissions contained in the exhaust of the American Air Filter BioCel model BioCel-I final filter system associated with Source ID P195 shall not exceed 0.02 grain per dry standard cubic foot.

3. The permittee shall continuously monitor the pressure drop across the AAF model 10-672-8941 and American Air Filter BioCel model BioCel-I final filter system using instrumentation capable of monitoring the pressure drop on a continuous basis.

4. The pressure drop across the AAF model 10-672-8941 and an American Air Filter BioCel model BioCel-I final filter system shall be recorded at least once per day and be retained on site for a minimum of 5 years.

5. The permittee shall keep on hand a sufficient quantity of spare fabric collector bags and filters for the fabric collector and filters associated with Source ID P195 in order to be able to replace any bag or filter requiring replacement immediately.

6. The two American Air Filter model 14-480-8982 fabric collectors (IDs C195a and C195B) that operate in parallel and four final filter assemblies (IDs C195C, C195D, C195E and C195F) (two filter assemblies per

collector operating in parallel) associated with Source ID P195 shall continue to operate as required by operating permit 08-399-044B.

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

**41-318-045C: High Steel Structures, Inc.** (1853 William Penn Way, Lancaster, PA 17605) for the modification of a structural steel surface coating operation located at 3501 West Fourth Street in the City of Williamsport, **Lycoming County**. The facility is not a major (Title V) facility for any air contaminant.

The structural steel surface coating operation is operated under Operating Permit 41-318-045, which was issued on April 4, 2001. The proposed modifications are revisions in the coating (paint) VOC content limitations currently imposed on the surface coating operation by Operating Permit 41-381-045. Although these revisions may result in an increased amount of VOCs emitted per gallon of coating used, no increase is being proposed in either the allowable annual facility-wide VOC emission limitation or the allowable annual facility-wide HAP emission limitations.

The Department of Environmental Protection's (Department) review of the information provided by High Steel Structures, Inc. indicates that the modified surface coating operation will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12 and the requirements of 25 Pa. Code § 129.52. Based on this finding, the Department proposes to issue plan approval for the proposed modifications.

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

1. Conditions contained in Operating Permit 41-318-045 remain in effect unless amended or superseded by a condition contained herein. If there is a conflict between a condition contained in Operating Permit 41-318-045 and a condition contained herein, the permittee shall comply with the condition contained here rather than with the conflicting condition contained in Operating Permit 41-318-045.

2. The total combined VOC emissions from the entire facility shall not equal or exceed 50 tons in any 12-consecutive month period, the total combined emissions of any single HAP shall not equal or exceed 10 tons in any 12-consecutive month period, the total combined emissions of all HAPs shall not equal or exceed 25 tons in any 12-consecutive month period and the total combined emissions of acetone shall not equal or exceed 20 tons in any 12-consecutive month period.

3. The VOC content of any primer used shall not exceed 6.48 pounds per gallon of coating solids on an as-applied basis, the VOC content of any intermediate coating used shall not exceed 6.03 pounds per gallon of

coating solids on an as-applied basis and the VOC content of any topcoat used shall not exceed 6.08 pounds per gallon of coating solids on an as applied basis.

4. The VOC and volatile HAP contents of any primer used shall not exceed 3.33 and 3.33 pounds per gallon, respectively, as received from the vendor or supplier, the VOC and volatile HAP contents of any intermediate coating used shall not exceed 3.0 and 2.96 pounds per gallon, respectively, as received from the vendor or supplier and the VOC and volatile HAP contents of any topcoat used shall not exceed 3.2 and .81 pounds per gallon, respectively, as received from the vendor or supplier.

5. Carboline Thinner No. 225E (or alternate material containing only acetone) shall be the only thinner used for all coatings other than inorganic zinc primers unless the use of Carboline Thinner No. 225E (or alternate material containing only acetone) is demonstrated to the Department's satisfaction to be technically infeasible, in which case the permittee may use an alternate thinner recommended by the coating vendor or supplier. Carboline Thinner No. 225E shall not contain any VOCs or volatile HAPs.

6. Carboline Thinner No. 237 (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) shall be the only thinner used for inorganic zinc primers unless the use of Carboline Thinner No. 237 is demonstrated to the Department's satisfaction to be technically infeasible, in which case the permittee may use an alternate thinner recommended by the coating vendor or supplier. Carboline Thinner No. 237 (or alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) shall not contain VOCs in excess of 4.93 pounds per gallon nor shall it contain any volatile HAPs.

7. Carboline Thinner No. 225E (or alternate material containing only acetone) shall be the only cleaning solvent used unless prior authorization is obtained from the Department to use an alternate solvent.

8. Spray guns and lines shall be cleaned by either flushing a solid liquid stream of solvent into a container or by soaking spray guns in an enclosed container of solvent. Under no circumstances shall solvent be flushed into a container in the form of an atomized spray or flushed/sprayed into the atmosphere. Containers of cleaning solvents, coating, thinner and any other VOC-containing, volatile HAP-containing or acetone-containing materials shall be kept closed except when taking material out of the container or putting material into the container. Solvent-wet rags or cloths shall be kept in closed containers when not in actual use. Under no circumstances shall waste solvent or other VOC-containing, volatile HAP-containing or acetone-containing materials be treated in any manner which intentionally promotes evaporative loss.

Comprehensive accurate records shall be maintained of the identity, type (primer, intermediate, topcoat, and the like), amount, solids content, VOC content, content of each individual volatile HAP and acetone content of each VOC-containing, volatile HAP-containing and acetone-containing material used each month as well as the mix ratio for each batch of coating during each month to which an additive (thinner, and the like) has been added or which has been mixed from multiple components. This data shall be submitted to the Department on a quarterly basis. Additionally, all records generated as a result of

this condition 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.*

**33-160B: Reynoldsville Casket Company** (5th Street Extension, Reynoldsville, PA 15851) for modification of plan approval 33-160A conditions with regards to the operation of the coating lines (101) without the control device (C101B) being in operation in Reynoldsville Borough, **Jefferson County**. This is a State-only V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- The facility VOC emissions shall not exceed 49.4 tpy based on a consecutive 12-month period.
- The permittee shall maintain the following records:
  - Monthly facility VOC emissions.
  - Yearly facility VOC emissions based on a consecutive 12-month period.
  - Persons may not permit the emission into the outdoor atmosphere of PM in a manner that the concentration of PM in the effluent gas exceeds 0.02 grain per dry standard cubic foot.
  - This source is subject to 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.

1. During periods of primer, color and clearcoat booth operation when using coatings not in compliance with Table 1 of 25 Pa. Code § 129.52, the catalytic oxidizer inlet temperature shall be maintained at 650° F or above as defined in the Plan Approval application, or at a minimum temperature determined during compliant destruction efficiency testing. This condition replaces Condition No. 8 from plan approval 33-160A which required during periods of color and clearcoat operations to maintain oxidizer inlet temperature at 650° F or above.

2. The primer, color and clearcoat surface coating lines shall not be operated when the catalytic oxidizer is not operating unless the coatings used meet the requirements in 25 Pa. Code 129.52, Table 1. This condition replaces Condition No. 9 from plan approval 33-160A which required the color and clearcoat operations to cease operation immediately in the event that the oxidizer bypass is triggered.

- All other conditions from plan approval 33-160A remain in effect.

**25-648C: NEPA Energy, LP** (10915 Ackerman Road, North East, PA 16428) to derate an existing 126 mmBtu natural gas fired boiler to 99 mmBtu and to install a Center Fired Gas gun to be used during low fire operations in the Borough of North East, **Erie County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval to NEPA Energy for their plant in the Borough of North East, Erie County. This plan approval will authorize the applicant to de-rate an existing 126 mmBtu natural gas fired boiler to 99

mmBtu and to install a Center Fired Gas gun to be used during low fire operations. Low fire will be defined as equal to or less than 12 mmBtu. The existing Low-NOx burner with induced flue gas recirculation will remain in place for use at high fire operations. The Plan Approval will subsequently be incorporated into the company's State-only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. Normal high fire operations at high fire will be around 50 mmBtu. The boiler's hours of operation will be limited to 5,760 hours at high fire and 3,000 hours at low fire. This plan approval will also decrease the annual NOx and CO emissions to 75 TPY, based on 12 month rolling. Based on the information provided by the applicant and Department's own analysis, the natural gas fired boiler will emit 10.8 tons of NOx per year, and 30.0 tons of CO per year. Actual emissions will decrease for both pollutants with the de-rating.

Anyone wishing to provide the Department with additional information they believe should be considered may submit the information to the address shown below. Comments must be received, by the Department, within 30 days of the last day of publication. Written comments should include the following:

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. PA-10-062C.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted on the comments received during the public comment period. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, when the Department determines notification is sufficient. Written comments or requests for a public hearing should be directed to John F. Guth, Regional Air Quality Manager, Department of Environmental Protection, Northeast Regional Office, 230 Chestnut Street, Meadville, PA, 16335, (814) 332-6940.

#### OPERATING PERMITS

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

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

**15-00023: Quality Park Products** (2 Tabas Lane, Exton, PA, 19341-2753) a renewal for an envelope assembling and printing facility previously permitted as a Title V facility and will now operate under a State-only permit in West Whiteland Township, **Chester County**. The previous permit was issued on 6-12-2001. The proposed operating permit renewal includes 20 flexographic presses and 7 offset presses, many of which were addressed through the Department of Environmental Protection's RFD process and no plan approval was required. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

**07-05001: Appleton Papers, Inc.** (100 Paper Mill Road, Roaring Springs, PA 16673-1488) for operation of their kraft paper mill in Roaring Spring Borough, **Blair County**. This is a renewal of the Title V Operating Permit issued in 2000.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.*

**41-00016: Plastic Development Company** (75 Palmer Industrial Road, Williamsport, PA 17701) for renewal of a Title V Operating Permit for operation of a spa manufacturing facility in Woodward Township, **Lycoming County**.

The facility incorporates a gelcoat application operation, a resin spray lay-up operation, a PVC cementing operation, a polyurethane foam operation, a surface coating touch-up operation, cleanup operations, 13 small No. 2 fuel oil-fired heating units and three above ground No. 2 fuel oil storage tanks. This facility has the potential to emit up to 25 tons of HAPs, 25 tons of VOCx, 2.7 tons of hydrochlorofluorocarbons, 2.7 tons of acetone, 4.47 tons of SOx, 1.13 tons of NOx, .32 tons of CO and .12 tons of PM including PM10 per year.

The facility is a major (Title V) facility because it has the potential to emit more than 10 tons of a single HAP, styrene, per year.

The Department of Environmental Protection (Department) proposes to renew Title V operating permit 49-00016. The Department intends to incorporate into this renewal all conditions currently contained in Title V Operating Permit 49-00016 with these exceptions, changes and additions:

1. A condition requiring either the performance of EPA Method 24 testing of the VOC-containing materials used at this facility or the maintenance of vendor-provided data sheets for such materials is being removed from the permit as Method 24 analyses are of no use in predicting the VOC emissions which will occur as a result of using the highest usage rate materials at this facility (gelcoat and resin) and the maintenance of accurate VOC content data for the materials being used at the facility is required by other permit conditions which are being retained.

2. A condition requiring either the performance of analytical tests for sulfur content on the fuel oil received at this facility or the maintenance of fuel certification reports is being removed from the permit as the amount of No. 2 fuel oil used by the facility and the likelihood of ever exceeding the allowable sulfur content (.5% by weight) are both low enough to render a requirement unnecessary.

3. Conditions requiring weekly "walk around" inspections of the facility and the maintenance of records of these inspections are being removed from the permit as the Department feels that the inspections are of little value in detecting the types of permit violations that could occur from this type of facility.

4. A condition requiring the submittal of semi-annual reports containing facility-wide VOC and HAP emission data is being modified to require the submittal of the reports on a quarterly basis.

5. A condition is being added to the permit prohibiting the use of No. 2 fuel oil which contains reclaimed/reprocessed oil, waste oil or other waste materials.

6. A number of conditions are being added to the permit which identify applicable requirements of Subpart

WWWW of the National Emission Standards for Air Pollutants, 40 CFR 63.5790—63.5935, to which the facility is now subject.

7. A number of conditions are being modified to specify new deadlines for the submission of quarterly reports.

8. Conditions prohibiting the storage of materials with a vapor pressure greater than 1.5 psia in the No. 2 fuel oil storage tanks and requiring the maintenance of records verifying compliance with this vapor pressure limitation are being modified to prohibit the use of the respective tanks to store anything other than No. 2 fuel oil and require the maintenance of records of the identity of the materials stored in the tanks.

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

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

**46-00154: Eye Designs, LLC** (220 W. 5th Street, Collegetown, PA 19426) for issuance of a State-only Operating Permit to operate a wood furniture surface coating facility in Trappe Borough, **Montgomery County**. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

**15-00038: Flint Ink Corp.** (210 Phillips Rd, Lionville, PA19341) for operation of a printing ink manufacturing facility in Uwchlan Township, **Chester County**. The permit is for a non-Title V (State-only) facility. Sources of air emissions are various mixers and mills, and one baghouse for the control of PM. The permit will include monitoring, recordkeeping and reporting requirements 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.*

**48-00044: Just Born, Inc.** (1300 Stefko Boulevard, Bethlehem, PA 18017-6620) a renewal State-only (Synthetic Minor) Operating Permit for a candy and confectionary products facility in Bethlehem City, **Lehigh County**. The sources at the facility include four No. 6 fuel oil fired boilers and eight candy and confectionary product process areas. The sources have the potential to emit SOx above Title V emission thresholds. The permittee shall demonstrate compliance through a site level fuel restriction of No. 6 fuel oil along with recordkeeping and reporting. The proposed State-only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to ensure facility compliance with Federal and State air pollution regulations.

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

**67-03101: Southern Die Casters, Inc.** (883 East Tolna Road, P. O. Box 178, Shrewsbury, PA 17361) for operation of their aluminum castings plant in the Shrewsbury Township, **York County**. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work

practice standards designed to keep the facility operating within all applicable air quality requirements.

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

**41-00034: Cromaglass Corp.** (P. O. Box 3215, Williamsport, PA 17701) for operation of a reinforced plastic composites manufacturing facility in the City of Williamsport, **Lycoming County**.

The facility incorporates a gelcoat spray operation, a resin hand and spray lay-up operation, a mold preparation and repair operation, an adhesive application operation, cleanup operations and two small natural gas-fired boilers. The air contaminant emissions from the facility are not expected to equal or exceed 10 tons per year of any individual HAP nor are they expected to exceed 10.6 tons of all air pollutants combined, 10.6 tons of VOCs, 17.08 tons of PM including PM10, 4.0 tons of acetone and negligible amounts of NOx, CO and SOx per year.

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

The Department of Environmental Protection (Department) proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously contained in Operating Permit 41-318-011 issued on August 30, 1993.

The conditions previously contained in Operating Permit 41-318-011 include:

1. Conditions requiring the particulate matter emissions from the gelcoat spray and resin hand and spray lay-up operations to be controlled by overspray panel filters.

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

2. A condition limiting the total combined facility-wide emission of any single air pollutant to less than 10 tons in any 12-consecutive month period and the total combined facility-wide emission of all air pollutants to less than 25 tons in any 12-consecutive month period.

3. Conditions requiring the maintenance, and semi-annual submittal, of records of the identity, quantity, VOC content and content of each individual air pollutant of each gelcoat, resin, tooling gelcoat, tooling resin, mold release agent, mold cleaner, adhesive and cleaning solvent/material used each month as well as records of the amount of each individual air pollutant emitted to the atmosphere each month as a result of using the respective materials.

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

**25-00955: Foam Fabricators, Inc.** (6550 W, 26th Street, Erie, PA 16506-1094) for re-issuance of a Synthetic Minor Permit to operate. The facility is operating an expandable polystyrene processing plant in Fairview Township, **Erie County**. The facility's major emission sources include boiler, miscellaneous natural gas usage, pre expander C-E, bag storage-pre-puff, molding machines with central vac, warehouse-post molding and a degreaser unit.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

Alkalinity greater than acidity\*

\* The parameter is applicable at all times.

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

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

**30841312 and NPDES Permit No. PA0013790. Consolidation Coal Company** (1 Bridge Street, Monongah, WV 26554). To revise the permit for the Blacksville Mine No. 2 in Jackson and Gilmore Townships, **Greene County** to add permit acreage for development mining. Underground Acres Proposed 794.1, SCP Acres Proposed 794.1. No additional discharges. Application received: September 7, 2006.

**03961301. NPDES Permit No. PA0214787. Rosebud Mining Company** (301 Market Street, Kittanning, PA

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

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

### *Coal Applications Received*

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

16201). To renew the permit for the Tracy Lynne Mine in Kiskiminetas Township, **Armstrong County** and related NPDES permit. No additional discharges. Application received: September 29, 2006.

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

**56060110 and NPDES No. PA0262251. Amerikohl Mining, Inc.** (1384 SR 711, Stahlstown, PA 15687). Commencement, operation and restoration of a bituminous surface mine in Milford Township, **Somerset County**, affecting 41.4 acres. Receiving streams: UNTs (WWF) to South Glade Creek and South Glade Creek (WWF) classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 16, 2006.

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

**03020115 and NPDES Permit No. PA0250295. Walter L. Houser Coal Co., Inc.** (12968 US 22, Kittanning, PA 16201). Renewal application for commencement, operation and reclamation of an existing bituminous surface mine, located in Sugarcreek Township, **Armstrong County**, affecting 195.6 acres. Receiving streams: UNTs to Snyder Run and Hurling Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: October 23, 2006.

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

**10840111 and NPDES Permit No. PA0602361. Thomas E. Siegel** (208 Woodland Road, Shippenville, PA 16254). Renewal of a bituminous surface strip and auger operation in Parker Township and Bruin Borough, **Butler County** affecting 207.8 acres. Receiving streams: Two UNTs to Bear Creek and Bear Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 23, 2006.

**24010101 and NPDES Permit No. PA0241857. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA

15824). Renewal of an existing bituminous surface strip, auger and clay removal operation in Horton Township, **Elk County** affecting 264.3 acres. Receiving streams: UNT "G" to Mead Run, UNTs "2" and "3" to Johnson Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 24, 2006.

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

**54851317T. Blackwood Mining** (540 E. Center Street, Ashland, PA 17921). Transfer of an existing anthracite underground mine operation from Rhen Coal Company in Reilly Township, **Schuylkill County** affecting 2.5 acres, receiving stream: none. Application received: October 23, 2006.

#### *Noncoal Applications Received*

#### *Effluent Limits*

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

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

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

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

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

**7975SM4C5 and NPDES Permit No. PA0594270. Edison Quarry, Inc.** (25 Quarry Road, Doylestown, PA 18901). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Doylestown Township, **Bucks County**, receiving stream: Neshaminy Creek, classified for the following use: TSF and migratory fishes. Application received: October 20, 2006.

**38870301C6 and NPDES Permit No. PA0595543. Pennsy Supply, Inc.** (1001 Paxton Street, Harrisburg, PA 17105). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Annville, North Annville, South Annville and North Londonderry Townships, **Lebanon County**, receiving streams: Killinger and Quittapahilla Creeks, classified for the following use: TSF. Application received: October 23, 2006.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section

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

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

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



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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E64-263. Pocono Springs Civic Association**, R. R. 2, Box 104, Newfoundland, PA 18445, in Lehigh Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain two dry hydrants in Pocono Peak Lake (HQ-CWF) the first being located near Perch Lane along the north shore and the second being located near Spring Lane along the south shore. (Sterling, PA Quadrangle N: 5.2 inches; W: 4.3 inches).

**E40-533A. Wilkes-Barre Scranton International Airport**, 100 Terminal Road, Avoca, PA 18641, Pittston, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To place fill in approximately 0.069 acre of PEM wetland for the proposed 225 foot extension of Runway 22 which is necessary to comply with FAA Safety Regulations. The project is located at the northern end of the airport southeast of the intersection of SR 0081 and SR 0502. (Avoca, PA Quadrangle N: 16.0 inches; W: 13.7 inches).

**E39-470. West Hills Partners LP**, 3 Lincoln Center, 5430 LBJ Freeway, Suite 800, Dallas, TX 75240, in Weisenberg Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with West Hills Business Center: 1) To construct and maintain a 130 foot long stream enclosure in a tributary to Lyon Creek (HQ-CWF) consisting of a 10 foot by 5 foot concrete box culvert depressed 6 inches below stream bed elevation, a rip-rap apron, and the placement of fill in 0.05 acre of wetlands; 2) To construct and maintain a 265 foot long stream enclosure in a tributary to Lyon Creek consisting of a 6 foot diameter CMP depressed 6 inches below stream bed elevation, a rip-rap apron, and the placement of fill in 0.30 acre of wetlands; 3) To place fill along approximately 3,300 feet of the left bank and 1,000 feet of the right bank of a tributary to Lyon Creek; 4) To construct and maintain a 2.5 inch diameter PVC sanitary line crossing of two tributaries to Lyon Creek; 5) To construct and maintain a 12 inch diameter water line crossing of two tributaries to Lyon Creek; 6) To construct and maintain five stormwater outfalls varying in size from 18 inch diameter to 42 inch diameter in the floodway of tributaries to Lyon Creek. (Topton, PA Quadrangle N: 18.15 inches; W: 12.75 inches).

**E39-471. Macungie Borough**, 21 Locust Street, Macungie, PA 18062, in Macungie Borough, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain an outfall structure consisting of a 15 inch diameter HDPE pipe and rip-rap apron in the floodway of a tributary to Swabia Creek (HQ-CWF). The outfall is located on the north side of Lehigh Street

approximately 0.15 mile east of North Church Street. (Allentown West, PA Quadrangle N: 3.2 inches; W: 7.4 inches).

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 1711, (717) 705-4707.*

**E67-806: Susquehanna Radio Corporation**, 5989 Susquehanna Plaza Drive, York, PA 17406-8910, in Manchester Township, **York County**, ACOE Baltimore District.

To construct and maintain a 12-foot wide by 30-foot long by 3.5-foot high precast concrete box culvert installed 12-inches below the existing stream bed elevation in an unnamed tributary to Codorus Creek (WWF) just east of the Susquehanna Trail (York, PA Quadrangle N: 22.6 inches; W: 17.1 inches, Latitude: 39° 59' 59"; Longitude: 76° 44' 49") in Manchester Township, York County.

**E67-808: York Railway Company**, 2790 West Market Street, York, PA 17404 in Spring Garden Township, **York County**, ACOE Baltimore District.

To construct and maintain a 24-foot by 11.5-foot by 30.5-foot precast concrete arch bridge, a 24-foot by 11-foot by 35.8-foot precast concrete arch bridge, a 24-foot by 12.6-foot by 37.8-foot precast concrete arch bridge and remove a collapsed retaining wall and restore approximately 90 feet of stream channel all in and along Poorhouse Run (WWF) at a point west of Loucks Mill Road and east of the Codorus Creek (York, PA Quadrangle N: 17.5 inches; W: 14.0 inches, Latitude: 39° 58' 19"; Longitude: 76° 43' 31") in Spring Garden Township, York County.

**E01-262: Bob Caldwell**, 1540 Fish and Game Road, Reading, PA 17316 in Reading Township, **Adams County**, ACOE Baltimore District.

To construct and maintain a 15.0-foot wide single span plate arch culvert having a normal span of 10.0 feet and an average underclearance of about 4.67 feet across Red Run (WWF). The project is located off of Fish and Game Road, 0.13 mile passed Roland Road on the left (Abbotstown, PA Quadrangle N: 17.76 inches; W: 17.28 inches; Latitude: 39° 58' 22"; Longitude: 76° 59' 54") in Reading Township, Adams County.

**E28-336: Daryl G. Hull**, Cherry Lane Drive, Chambersburg, PA 17201 in Hamilton Township, **Franklin County**, ACOE Baltimore District.

To maintain 2,000 cubic yards of fill and 0.5 acre of grading in a pond associated with an UNT to Back Creek (TSF) and maintain 155 feet of grading in an intermittent UNT to Back Creek (TSF). The project is located off of Center Drive, on Cherry Lane Drive (Chambersburg, PA Quadrangle N: 9.2 inches; W: 10.4 inches; Latitude: 39° 55' 32"; Longitude: 77° 41' 58") in Hamilton Township, Franklin County.

**E05-340: Department of Transportation**, 1620 North Juniata Street, Hollidaysburg, PA 16648, in East Saint Clair Township, **Bedford County**, ACOE Baltimore District.

Engineering District 9-0 requests authorization for stream and wetland impacts associated with the reconstruction and widening of SR 56 Section 10 in East St Clair Township, Bedford County. This phase of the project, which will significantly improve traffic safety along the Route 56 corridor, involves the following 105 impacts:

1. Remove an existing 48-inch RCP (length of 46.0 feet) and construct and maintain a 48-inch by 76-inch RCP (length of 92.0 feet) at Station 498+00 (Alum Bank, PA Quadrangle N: 11.57 inches; W: 3.33 inches, Latitude: 40° 08' 36"; Longitude: 78° 34' 58"). PEM wetlands, associated with an unnamed tributary to Stone Creek (WWF) currently exist at the downstream invert of the culvert. The proposed extension will permanently impact 0.04 acre and temporarily impact 0.02 acre of PEM wetland.

2. Construct and maintain a 30-inch pipe outfall and associated riprap apron to a UNT to Stone Creek (WWF) at Station 513+00 (Alum Bank, PA Quadrangle N: 11.61 inches; W: 2.57 inches, Latitude: 40° 08' 21"; Longitude: 78° 34' 59"). The proposed outfall and scour protection will permanently impact 37.0 lineal feet of stream channel and temporarily impact another 25.0 lineal feet of channel.

3. Relocate and maintain 100.0 feet of a UNT to Stone Creek (WWF) between Stations 530+00 and 531+00 (Alum Bank, PA Quadrangle N: 11.61 inches; W: 1.77 inches, Latitude: 40° 08' 05"; Longitude: 78° 34' 59"). The proposed extension will permanently impact 0.01-acre and temporarily impact 0.04 acre of PEM wetland.

4. Remove an existing 18-inch RCP with 24-inch CMP end sleeve (total in-stream length of 60.0 feet) at Station 530+00 (Alum Bank, PA Quadrangle N: 11.61 inches; W: 1.77 inches, Latitude: 40° 08' 05"; Longitude: 78° 34' 59"); and construct and maintain an 18-inch CMP (instream length of 100.0-feet) with associated riprap apron at Station 531+00 (Alum Bank, PA Quadrangle N: 11.61 inches; W: 1.64 inches, Latitude: 40° 11' 20"; Longitude: 78° 30' 42"). Net permanent channel impact is 76.0 lineal feet, with temporary impacts to another 30.0 feet. The proposed pipe and roadway fill will permanently impact 0.15 acre and temporarily impact 0.01 acre of PEM wetland

5. Maintain fill within 0.53 acre of PEM wetland in order to widen the intersection of SR 56 and T-548 at Station 534+00 (Alum Bank, PA Quadrangle N: 11.51 inches; W: 1.53 inches, Latitude: 40° 08' 00"; Longitude: 78° 34' 57").

6. Enhance and maintain 0.34 acre of PEM wetland at Station 534 (Alum Bank, PA Quadrangle N: 11.51 inches; W: 1.53 inches, Latitude: 40° 08' 00"; Longitude: 78° 34' 57").

7. Relocate and maintain 402.0 lineal feet of an ephemeral UNT to Stone Creek (WWF) between Stations 532+00 and 535+50 (Alum Bank, PA Quadrangle N: 11.49 inches; W: 1.46 inches, Latitude: 40° 08' 01"; Longitude: 78° 34' 59"). The relocation will temporarily impact 402 lineal feet of stream channel.

8. Remove an existing 36-inch RCP (in-stream length of 75.0-feet) and construct and maintain a 48-inch RCP (in-stream length of 90.0 feet) within a UNT to Stone Creek (WWF) at Station 535+50 (Alum Bank, PA Quadrangle N: 11.49 inches; W: 1.46 inches, Latitude: 40° 07' 59"; Longitude: 78° 34' 56"). The pipe replacement will permanently impact 40.0 lineal feet of stream channel. Channel stabilization downstream of the proposed culvert, consisting of bank grading and vegetative matting, will temporarily impact 180.0 lineal feet of stream channel.

9. Construct and maintain an 18-inch pipe outfall to UNT to Stone Creek (WWF) at Station 535+50 (Alum Bank, PA Quadrangle N: 11.49 inches; W: 1.26 inches,

Latitude: 40° 07' 55"; Longitude: 78° 34' 56"). The outfall is located immediately downstream of the 48-inch RCP

10. Remove an existing 4-foot by 6-foot concrete arch culvert (in-stream length of 62.0 feet) and construct and maintain a 78-inch by 78-inch concrete box culvert (in stream length of 98.0 feet) within the channel of Stone Creek (WWF) at Station 540+50 (Alum Bank, PA Quadrangle N: 11.53 inches; W: 1.26 inches, Latitude: 40° 07' 55"; Longitude: 78° 34' 57"). Net permanent channel impact is 40.0 lineal feet.

11. Construct and maintain an 18-inch pipe outfall to Stone Creek (WWF) at Station 540+00 (Alum Bank, PA Quadrangle N: 11.53 inches; W: 1.26 inches, Latitude: 40° 07' 55"; Longitude: 78° 34' 57"). The outfall is located immediately downstream of the 78-inch by 78-inch box culvert.

12. Construct and maintain a levee within the 100-Year Floodway located on the left downstream bank of Stone Creek at Station 540+50 (Alum Bank, PA Quadrangle N: 11.53 inches; W: 1.26 inches, Latitude: 40° 07' 55"; Longitude: 78° 34' 57") beginning immediately upstream of SR 56 and extending upstream 150-feet. Top width of the levee is 5.0 feet with 2:1 side slopes. Levee height ranges from 0.0 to 6.0 feet.

The applicant proposes to create a minimum of 0.73 acre of compensatory palustrine emergent wetland at a preapproved offsite location (Fetter property, Alum Bank, PA Quadrangle N: 6.00 inches; W: 15.6 inches, Latitude: 40° 09' 28.8"; Longitude: 78° 36' 45.7"). The applicant met stream channel compensation requirements by removing an abandoned dam located on Blacklog Creek in Huntingdon County (Orbisonia, PA Quadrangle N: 19.6 inches; W: 1.5 inches, Latitude: 40° 14' 9.9"; Longitude: 77° 53' 9.9") in June 2006.

**E28-335: Progress Village, Delm Developers**, Mill Road, Chambersburg, PA 17201 in Chambersburg Borough, **Franklin County**, ACOE Baltimore District.

To construct and maintain two Contech Structure No. 61, an aluminum box culverts, both having spans of 21.58 feet and a rise of 4.92 feet, and lengths of 61.0 linear feet and 148.0 linear feet respectively across a UNT to the Conococheague Creek (WWF); to install and maintain 53.0 linear feet of 12-inch water lines within the floodway of a UNT to the Conococheague Creek (WWF); to install and maintain 118 linear feet of 12-inch water line within the floodway of a UNT to the Conococheague Creek (WWF); and to place and maintain approximately 420 cubic yards of fill material within the floodway of a UNT to Conococheague Creek (WWF). The project is located off of US Route 11 South approximately 1.87 miles to Mill Road on right, the project lies on the south side of Mill Road (Chambersburg, PA Quadrangle N: 6.61 inches; W: 7.13 inches; Latitude: 39° 54' 41"; Longitude: 77° 40' 33") in Reading Township, Adams County.

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

**E14-487. Robert S. McGrail-Peasley**, 2045 Runville Road, Bellefonte, PA 16823, Berm/bridge/culvert, in Boggs Township, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches).

To construct and maintain: 1) 340 foot long by 2 foot wide by 2 foot high earthen berm on the top of the right bank of a UNT to Wild Cat Run for the purpose of protecting an earthen road from flood waters; 2) a wooden

pedestrian bridge with a 19-foot clear span and 4-foot underclearance across Wild Cat Run for private use; 3) a 24-inch diameter HDPE culvert with a rock headwall to make a new road crossing near the upstream limit of the earthen berm, located 3,100 feet upstream of the intersection of Gum Stump Road and Runville Road (SR 144)

(Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches) in Boggs Township, Centre County. This project proposes to impact 340 linear feet of the UNT to Wild Cat Run and 5 linear feet of Wild Cat Run that are tributaries to Wallace Run, which is classified as a HQ-CWF and proposes no wetland impacts.

**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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0029149 (Sewage)	Matzel Development of Pocono Manor Pocono Manor Inn P. O. Box 38 Pocono Manor, PA 18349	Monroe County Pocono Township	Swiftwater Creek (1E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0088668 (Sewage)	Metal Township Municipal Authority Box 232 Fannettsburg, PA 17221	Franklin County Metal Township	West Branch Conococheague Creek 13-C	Y
PA0080454 (Industrial Waste)	Carlisle Borough 53 West South Street Carlisle, PA 17013	Cumberland County North Middleton Township	Conodoguinet Creek 7-B	Y
PA0082490 (Sewage)	Pike Restaurant and Lounge Marvin Simpson 985 Baltimore Pike Gettysburg, PA 17325	Adams County Cumberland Township	UNT Rock Creek 13-D	Y
PA0032051 (Sewage)	Granville Township 100 Helen Street Lewistown, PA 17044	Mifflin County Granville Township	Juniata River 12-A	Y
PA0081221 (Sewage)	Timothy Weaver COD Investments, LLC P. O. Box 20062 York, PA 17402	Perry County Miller Township	UNT Bailey Run 12-B	Y
PA0028592 (Sewage)	Bonneauville Borough 46 East Hanover Street Bonneauville, PA 17325	Adams County Bonneauville Borough	Chicken Run 13-D	Y
PA0248568 (Sewage)	James and Barbara Angelo P. O. Box 49 Huntingdon, PA 16652	Huntingdon County Walker Township	UNT Crooked Creek 11-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0042749 Sewage	Jenner Area Joint Sewer Authority P. O. Box 202 Jennerstown, PA 15547	Somerset County Boswell Borough	Quemahoning Creek	Y
PA0204510 Sewage	Carlton Motel & Restaurant 594 Carlton Drive Bentleyville, PA 15314	Washington County Somerset Township	UNT to North Branch Pigeon Creek	Y

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

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

**PA0229016**, Sewage 4952, **Glenn D. Poust**, 767 N. Shaffer Hill Road, Cogan Station, PA, 17728. This proposed facility is located in Lycoming Township, **Lycoming County**.

Description of Proposed Activity: The applicant is granted an individual discharge permit to serve a single residence sewage treatment plant.

The receiving stream, UNT to Hoagland Run is in the State Water Plan Watershed 10A and is classified for: HQ-CWF. The nearest downstream public water supply intake for PA American Water Company is located on West Branch Susquehanna River 42 miles below the point of discharge.

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

<i>Parameter</i>	<i>Concentration mg/l</i>				<i>Mass lbs</i>	
	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>	<i>Monthly Load</i>	<i>Annual Load</i>
pH	Within the Range of 6.0 to 9.0					
CBOD <sub>5</sub>	10			20		
TSS	20			40		
Fecal Coliforms:		200 colonies/100 ml				

The EPA waiver is in effect.

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


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

**WQM Permit No. WQG022207**, Sewerage, **Dallas Area Municipal Authority**, 530 South Memorial Highway, Shavertown, PA 18708. This proposed facility is located in Dallas Township, **Luzerne County**, PA.

Description of Proposed Action/Activity: This project is for construction of 38 new sewer connections and 11 existing and a pump station to service Irem Country Club.

**WQM Permit No. WQG022208**, Sewerage, **Lehigh County Authority**, P. O. Box 3348, 1053 Spruce Street, Allentown, PA 18106-0348. This proposed facility is located in Upper Milford Township, **Lehigh County**, PA.

Description of Proposed Action/Activity: This project is for the construction of a sanitary sewer extension to serve the 30 family residential development of Estates at Maple Ridge.

**WQM Permit No. 4006404**, Sewerage, **Foster Township**, 1000 Wyoming Avenue, P. O. Box 465, Freeland, PA 18224. This proposed facility is located in Foster Township, **Luzerne County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit. The project involves construction of a new gravity wastewater collection system, pump stations and force mains to serve 442 EDUs in the Woodside, Youngstown, Highland and Upper Lehigh areas and replacement of the wastewater collection system serving 246 EDUs in Subarea 5.

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

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

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

**WQM Permit No. 2898401, Amendment 06-1**, Sewerage, **Metal Township Municipal Authority**, Box 232, Fannettsburg, PA 17221. This proposed facility is located in Metal Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization for operation of sewerage facilities consisting of a Biolac extended aeration sewage treatment plant with seasonal spray irrigation or stream discharge, permit being amended to create consistency with the NPDES Permit.

**WQM Permit No. 0506404**, Sewerage, **Bedford Township Municipal Authority**, P. O. Box 371, Bedford, PA 15522. This proposed facility is located in Bedford Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization for construction of sewerage facilities of consisting of replacement of the existing Leach Pumping Station, construction of 1,200 feet of 8-inch force main, 250 feet of 10-inch gravity sewers and all related appurtenances.

**WQM Permit No. 3106402**, Sewerage, **James and Barbara Angelo**, 12295 Turkey Farm Road, Huntingdon, PA 16652. This proposed facility is located in Walker Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization for construction/operation of a small flow treatment system consisting of a septic tank and peat bio-filter with ultraviolet disinfection to serve their single family residence.

**WQM Permit No. 0192402, Amendment 06-1**, Sewerage, **Borough of Bonneauville, Bernard Shanebrook, Borough Manager**, 46 East Hanover Street, Bonneauville, PA 17325. This proposed facility is located in Bonneauville Borough, **Adams County**.

Description of Proposed Action/Activity: Authorization for construction/modifications consisting of sewage treatment plant upgrade including a new influent pump station, new SBR tank, conversion of existing Chlorine Contact tank to post equalization, installation of UV disinfection, new flow meters, improvements to outfall structure and replacement of two sections of sewer line.

**WQM Permit No. 5083402, Transfer No. 3**, Sewerage, **Timothy R. Weaver, COD Investments, LLC**, P. O. Box 20062, York, PA 17402. This proposed facility is located in Miller Township, **Perry County**.

Description of Proposed Action/Activity: Transfer of Permit (Bailey Run MHP).

**WQM Permit No. 2806201**, CAFO, **Country View Family Farms**, 6360 Flank Road, Harrisburg, PA 17112. This proposed facility is located in Metal Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization for the construction of manure storage facilities consisting of one reinforced concrete shallow pit manure storage structure, to be constructed as an expansion to an existing nursery building and manure storage structure, with three block wall partitions within the new structure providing four independent sections, a drain line and four risers at the northern end of the structure to provide for "pull-plug" operation of each section, and concrete and waterstop meeting NRCS standards; compacted soil subbase; a 4-inch perforated corrugated drain pipe around the perimeter of the new structure, with the invert below the footer, and a 4-inch solid PVC pipe to an observation pit containing an outlet shutoff valve.

**WQM Permit No. 3606202**, CAFO, **John Wanner**, 5800 Wanner Road, Narvon, PA 17555. This proposed facility is located in Salisbury Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction of a manure digestion facilities consisting of one circular concrete manure digestion tank; one concrete influent/effluent tank, which will receive manure prior to and

following digestion; one solids separator system, concrete stacking pad and leachate collection system; pumps and transfer lines necessary to convey manure to the digestion tank, solids separator system, and existing two-stage HDPE-lined manure storage impoundment system; and a 4-inch perforated perimeter drains for the manure digestion and influent/effluent tanks that outlet to a common observation pit.

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

**WQM Permit No. 1406202**, Industrial Waste, **Department of Transportation, Engineering District 2-0**, 1924 Daisy Street Ext., P. O. Box 342, Clearfield, PA 16630. These proposed facilities will be located in Worth Township, **Centre County**.

Description of Proposed Action/Activity: A permit has been issued for the construction and operation of the Engineered Rock Placement Area, which will serve as a secure containment facility for the placement of pyritic rock and associated material.

**WQM Permit No. WQG01410601**, Sewerage 4952. **Glenn D. Poust**, 767 N Shaffer Hill Road, Cogan Station, PA 17728. This proposed facility is located in Lycoming Township, **Lycoming County**.

Description of Proposed Action/Activity: Applicant is granted a Water Quality Management General permit for the construction of a small flow treatment facility to serve a single residence.

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

**WQM Permit No. WQG018487**, Sewerage, **Charbel G. Latouf**, 232 Krause Drive, Erie, PA 16511. This proposed facility is located in Tionesta Township, **Forest County**.

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

**WQM Permit No. WQG018506**, Sewerage, **Florence E. and William L. Moyer**, P. O. Box 232, Columbus, PA 16405. This proposed facility is located in Columbus Township, **Warren County**.

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

**WQM Permit No. WQG018489**, Sewerage, **Bretton Walberg**, 250 Donation Road, Greenville, PA 16125. This proposed facility is located in Hempfield Township, **Mercer County**.

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

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011505073	Devereux Foundation 390 East Boot Road West Chester, PA 19380-1222	Chester	West Whiteland Township	East Branch Chester Creek (TSF) Broad Run (HQ-CWF-MF) Valley Creek (CWF-MF)
PAI011506046	Frank Piliero, Owner 704 Haywood Drive Exton, PA 19341	Chester	Charlestown Township	Pigeon Run (HQ)
PAI011506049	West Pikeland Township P. O. Box 6 Chester Springs, PA 19425	Chester	West Pikeland Township	Pickering Creek (HQ-TSF)
PAI011506067	Pruss Hill Partners, LP P. O. Box 587 Royersford, PA 19468	Chester	North Coventry Township	Pigeon Creek (HQ-TSF)
PAI011506068	Malvern Hill Associates, LP 2701 Renaissance Boulevard King of Prussia, PA 19406	Chester	East Whiteland Township	Little Valley Creek (EV-HQ)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806014	Sotel Enterprises P. O. Box 524 Nazareth, PA 18064	Northampton	Hanover Township	Monocacy Creek HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024506003	Fairview Associates 1167 North Ninth St. Stroudsburg, PA 18360	Monroe	Pocono Township	Pocono Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAR10F017R2	Daniel Mattern, Zion Assoc. Stony Pointe, Phases V-R and VI 1076 East Bishop Street Bellefonte, PA 16823	Centre	Walker Township	UNT to Nittany Creek CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI0418040031	Clinton County Economic Partnership 212 N. Jay Street Lock Haven, PA 17745	Clinton	Lamar Township	UNT Fishing Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050306001	Department of Transportation Engineering District 10-0 P. O. Box 429 Indiana, PA 15701-3388	Armstrong	Foxburg Borough and Hovey Township	Allegheny River (WWF)

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

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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).

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

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

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Kennett Township Chester County	PAG2001506050	Doug and Cheryl Leeds 63 Springbrock Lane Newark, DE 19711	West Branch Red Clay Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Nottingham Township Chester County	PAG2001506059	James E. Mark 152 Conard Mill Road New London, PA 19360	Black Burn Run (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Coatesville Chester County	PAG2001506049	Development at ARC 111 Westwood Place, Suite 200 Brentwood, TN 37027-5021	UNT Beaver Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Darby Township Delaware County	PAG2002306037	4346 Frankford, Inc. 417 Callowhill Street Philadelphia, PA 19123	Darby Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chester Heights Borough Middletown Township Delaware County	PAG2002306025	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Chester Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Radnor Township Delaware County	PAG2002306062	Villanova University 800 Lancaster Avenue Villanova, PA 19085	Ithan Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chadds Ford Township Delaware County	PAG2002306041	Kathleen Horan 429 Webb Road Chadds Ford, PA 19317	Brinton Run (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Haverford Township Delaware County	PAG2002306069	Overlook Circle Developers, Inc. 181 Dam View Drive Media, PA 19063	Darby Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Radnor township Delaware County	PAG2002306039	Villanova University 800 Lancaster Avenue Villanova, PA 19085	UNT Mill Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106005	Kaplan at Tacony, LP 433 River Road Highland Park, NJ 08904	Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106021	MAGII Morrell Plaza, LP 1021 Oak Street Jacksonville, FL 32204	Poquessing Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Saucon Township Lehigh County	PAG2003906024	Dan Altieri S. Lehigh School Dist. 5775 Main St. Center Valley, PA 18034	Saucon Creek CWF	Lehigh County Cons. Dist. (610) 391-9583
Ryan Township Schuylkill County	PAG2005406016	Albert and Virginia Smith 762 State Road Barnesville, PA 18214	Tributary to Pine Creek CWF	Schuylkill County Cons. Dist. (570) 622-3742
Moore Township Lehigh Township Northampton County	PAG20048040261	Kemmerer Corp. 3220 Valley View Dr. Bath, PA 18014	Hokendauqua Creek CWF	Northampton County Cons. Dist. (610) 746-1971



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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bonneauville Borough Adams County	PAG2000106024	Bernard Shanebrook Borough Manager Bonneauville Borough 86 W. Hanover St. Gettysburg, PA 17325	Chicken Run to White Run to Rock Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Lower Allen Township Cumberland County	PAG2002106040	The Village at Fair Oaks Richard Hart 5154 Kylock Road Mechanicsburg PA 17055	UNT Cedar Run CWF	Cumberland County Conservation District 43 Brookwood Ave Carlisle PA 17013 (717) 240-7812
Lower Paxton Township Dauphin County	PAG2002206050	The McNaughton Co. 4400 Deer Path Road Suite 201 Harrisburg, PA 17110	Spring Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018
Wayne Township Dauphin County	PAG2002205070	Bruce A. Snyder 78 C S River Road Halifax, PA 17032	Powells Creek TSF	Dauphin County Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018
Manchester Township York County	PAG2006706054	Brandywine Woods Brandywine Crossings, LP Richard D. Poole 150 Farm Lane Drive York, PA 17402 (717) 741-5280	UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Newberry Township York County	PAG2006706082	The Woods Francis McNaughton McNaughton Properties 4400 Deer Path Road Harrisburg, PA 17110	Fishing Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County	PAG2006706069	Cider Press Estates Lora L. Willi 11 Briar Lane Camp Hill, PA 17011	UNT to Yellow Breeches CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Red Lion Borough York County	PAG2006706021	Red Lion Senior HS Red Lion Area School District 696 Delta Road Red Lion, PA 17356	Barshinger Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Lower Windsor Township York County	PAG2006706053	Eastern York High School P. O.Box 150 Cool Creek Road Wrightsville, PA 17368	Canadochly Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County	PAG2006706066	Walters Farm William Baker Harold Baker 112 Old Ford Road Camp Hill, PA 17011	Bennett Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manchester York County	PAG2006706062	Heidler Roofing 2120 Alpha Drive York, PA 17404	WB Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bradford County North Towanda Township	PAG2000806007	Rite Aid Pharmacy No. 1830-03-RT York Avenue and Merrill Parkway Towanda, PA 18848	Sugar Creek WWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5, Box 5030C Towanda, PA 18848 (570) 265-5539, Ext. 6
Bradford County Athens Township	PAG2000806008	John J. DeSisti—Fill Site DeSisti Properties P. O. Box R Sayre, PA 18840	Cayuta Creek Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5, Box 5030C Towanda, PA 18848 (570) 265-5539, Ext. 6
Centre County Benner Township	PAG2001406020	Ron Blauch SCI-Rockview Electrical Upgrades 18th and Herr Streets Harrisburg, PA 17120	Logan Branch CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Columbia County Hemlock Township	PAG2001906014	Edward F. Emery 189 Columbia Mall Drive Bloomsburg, PA 17815	UNT to Hemlock Creek CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102
Penn Township Snyder County	PAG2005506012	St. Pius X Catholic Church Rev. James M. Lyons 610 University Avenue Selinsgrove, PA 17870	Penns Creek WWF	Snyder County Conservation District 403 West Market Street, Middleburg, PA 17842 (570) 837-0007, Ext. 5
Monroe Township Snyder County	PAG2005506013	Autowashery Inc., Ultimate Car Wash, George Heim 166 Broad Street Montgomery, PA 17752	Rolling Green Run WWF	Snyder County Conservation District 403 West Market Street, Middleburg, PA 17842 (570) 837-0007, Ext. 5
Center and Franklin Townships Snyder County	PAG2005506014	Penn Truss, Ken Zechman 66 Walnut Hollow Road Middleburg, PA 17842	UNT to Middle Creek CWF	Snyder County Conservation District 403 West Market Street Middleburg, PA 17842 (570) 837-0007, Ext. 5
Laporte Township Sullivan County	PAG2005706001	James Kalp Department of Conservation and Natural Resources 400 Market St. P. O. Box 8451 Harrisburg, PA 17105-8451	UNT to Loyalsock Creek CWF	Sullivan County Conservation District R. R. 2, Box 2022B Dushore, PA 18614 (570) 928-7057
Tioga County Clymer Township	PAG2005906012	Samuel and Ruth Panella 2317 Woodland Lane Wilmington, DE 19810	Jemison Creek CWF	Tioga County Conservation District 50 Plaza Lane, Wellsboro, PA 16901, (570) 724-1801, Ext. 3
Union County Gregg Township	PAG2006006012	Gregg Township Municipal Authority, Waste Water Treatment Facility Gleonard E. Byers P. O. Box 192 Allenwood, PA 17810-0192	West Branch of Susquehanna River WWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Allegheny County Robinson Township	PAG 20005000203013-1	Hickman Associates 772 Pine Valley Drive Pittsburgh, PA 15239	Montour Run (TSF)	Allegheny County CD (412) 241-7645
Allegheny County South Fayette Township	PAG2000205123	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Millers Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Plum Borough	PAG2000205130	Plum Properties 375 Golfside Drive Wexford, PA 15090	Plum Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County City of Pittsburgh	PAG20002060161	Carnegie Mellon University 5000 Forbes Avenue Pittsburgh, PA 15213	Ohio River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Monroeville	PAG2000206017	Widewaters-Monroeville Company, LLC P. O. Box 3 5786 Widewaters Parkway Dewitt, NY 13214-0003	Turtle Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County City of Pittsburgh	PAG2000206050	Pittsburgh Public Schools 1305 Muriel Street Pittsburgh, PA 15203	Ohio River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Green Tree Borough	PAG2000206053	TLC Properties 5551 Corporate Blvd. Baton Rouge, LA 70808	Chartiers Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Plum Borough and Harmar Township	PAG2000206060	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	Allegheny River and Deer Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County North Fayette Township	PAG2000206061	Performance Motors 211 King Richard Drive McMurray, PA 15317	Robinson Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County South Fayette Township	PAG2000206068	Benjamin Marcus Homes, LLC P. O. Box 1287 McMurray, PA 15317	Chartiers Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Monroeville	PAG2000206077	Nicholas & Patrinus Properties 79 South 23rd Street Pittsburgh, PA 15203	Thompson Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Kennedy Township	PAG2000206092	The Meritage Group 772 Pine Valley Drive Pittsburgh, PA 15239	Ohio River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Indiana Township	PAG2000206093	Manor Land Development 772 Pine Valley Drive Pittsburgh, PA 15239	Deer Creek (WWF)	Allegheny County CD (412) 241-7645
Armstrong County Elderton Borough Plumcreek Township	PAG2000306004	Northeastern Energy Consulting, Inc. 4257 Gibsonia Road Gibsonia, PA 15044	UNT to Plum Creek (TSF)	Armstrong County CD (724) 548-3425
Armstrong County Gilpin Township	PAG2000306005	Gilpin Township Supervisors 589 SR 66 Leechburg, PA 15656	Kilingsmith Run (WWF)	Armstrong County CD (724) 548-3425
Fayette County Georges Township	PAR10L071R	Arline Darr 146 Firestone Road Smithfield, PA 15478	Georges Creek (WWF)	Fayette County CD (724) 438-4497

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Washington County Peters Township	PAG2006306023	Ted Taylor Builders 608 East McMurray Drive Suite 101 McMurray, PA 15317	Peters Creek (TSF)	Washington County CD (724) 228-6774
Washington County Peters Township	PAG2006306031	84 Lumber Acquisitions & Development Co., LP Mark Hoskins P. O. Box 1287 McMurray, PA 15317	Peters Creek (TSF)	Washington County CD (724) 228-6774
Washington County Hanover Township	PAG2006306037 Renewal of old PAR10W194	Washington County Council on Economic Development 40 South Main Street Lower Level Washington, PA 15301	UNT of Raccoon Creek (WWF)	Washington County CD (724) 228-6774
Westmoreland County North Huntingdon Township	PAG2006506018	Lincoln Hills Realty 8958 Hill Drive North Huntingdon, PA 15642	UNT to Brush Creek (TSF)	Westmoreland County CD (724) 837-5271
Westmoreland County North Huntingdon Township	PAG2006506021	Donald Ray P. O. Box 207 Latrobe, PA 15650	UNT to Saxman Run (WWF)	Westmoreland County CD (724) 837-5271
Westmoreland County Unity Township	PAG2006506028	C. T. Morrison St. Vincent College 300 Fraser Purchase Road Latrobe, PA 15650	Monastery Run (WWF)	Westmoreland County CD (724) 837-5271
Westmoreland County Upper Burrell Township	PAG2006506034	Kevin Minster Siemens Energy & Automation 500 Hunt Valley Road New Kensington, PA 15068	Tributary to Pucketa Creek (TSF)	Westmoreland County CD (724) 837-5271
Westmoreland County City of New Kensington	PAG2006506038	Municipal Sanitary Authority of the City of New Kensington 120 Logan's Ferry Road New Kensington, PA 15068	Pucketa Creek (TSF)	Westmoreland County CD (724) 837-5271
Westmoreland County City of Jeannette and Hempfield Township	PAG2006506042	Municipal Authority of Westmoreland County SW Corner of Rt. 30 West and Greengate Road P. O. Box 730 Greensburg, PA 15601	Brush Creek (WWF)	Westmoreland County CD (724) 837-5271
Butler County Cranberry Township	PAG2001006029	Walden Pond Dev., Inc. 3058 Chardonay Lane Poland, OH 44514	Breakneck Creek WWF	Butler Conservation District (724) 284-5270
Crawford County Meadville City	PAG2002005005(1)	Allegheny College 520 North Main Street Meadville, PA 16335	French Creek WWF	Crawford Conservation District (814) 763-5269
Crawford County Spring Township	PAG2002006006	Conneaut School District 219 West School Road Linesville, PA 16424	UNT Conneaut Creek WWF, MF	Crawford Conservation District (814) 763-5269
Lawrence County City of New Castle	PAG2003706008	230 North Jefferson Street New Castle, PA 16101	Neshannock Creek TSF	Lawrence Conservation District (724) 652-4512

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Venango County Barkeyville Borough	PAG2006106006	Barkeyville Industrial Park Stevenson Road and Prospect Drive Barkeyville, PA Samuel J. Varo, Jr. Team Hardinger Gransportaiton Warehousing, Inc. 1314 West 18th Street Erie, PA 16502	Wolf Creek CWF	Venango Conservation District (814) 676-2832
Elk County Benezette Township	PAG2092406012	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Porcupine Run and Bennett Branch Sinnemahoning Creek CWF	Department of Environmental Protection Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
<i>General Permit Type—PAG-3</i>				
<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hazle Township Luzerne County	PAR122210	The Hershey Company P. O. Box 340 Hazleton, PA 18201-0340	Stony Creek and Tomhicken Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Lancaster County Ephrata Borough	PAR803694	Morgan Corporation P. O. Box 588 Morgantown, PA 19543	Cocalico Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Spring Garden Township	PAR233517	Graham Recycling Company, LP 2401 Pleasant Valley Road York, PA 17402	Mill Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Ephrata Borough	PAR803694	Morgan Corporation P. O. Box 588 Morgantown, PA 19543	Cocalico Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Wayne Township Clinton County	PAR504804	Clinton County Solid Waste Authority P. O. Box 209 264 Landfill Lane McElhattan, PA 17748-0209	UNT To West Branch Susquehanna River WWF	Water Management Program Manager 208 West Third Street Williamsport, PA 17701 (570) 327-3664
Neville Township Allegheny County	PAR206125	GGMJS Properties, LLC 73A West Noblestown Road P. O. Box 298 Carnegie, PA 15106-1655	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
North Fayette Township Allegheny County	PAR216154	Rinker Materials 1501 Bevedere Road West Palm Beach, FL 33406	Robinson Run Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Independence Township Beaver County	PAR606173	Independence Auto Salvage Box 402-A New Bethlehem Church Road Aliquippa, PA 15001	Unnamed feeder to Raredon Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Independence Township Beaver County	PAR616174	Boring Salvage 264 Service Creek Road Aliquippa, PA 15001	Raccoon Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Pittsfield Township Warren County	PAR228311	Meridien Hardwoods of PA, Inc. P. O. Box 227 Pittsfield, PA 16340	Brokenstraw Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location County &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Westmoreland County Rostraver Township	PAG046330	Roy Taylor 148 Darr Road Belle Vernon, PA 15012	UNT to Youghiogheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Lincoln Borough	PAG046241	Dennis J. Southern 4538 Liberty Way Elizabeth, PA 15037	UNT of Wylie Run Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Findlay Township	PAG046249	Timothy W. Cook 371 Hebron Road Imperial, PA 15126-2154	UNT to Potato Garden Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington Township Erie County	PAG048754	Amy J. and Steven E. Burhenn 3050 Crane Road Edinboro, PA 16412	UNT to Little Conneauttee Creek 16A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location County &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Tionesta Township Forest County	PAG049279	Charbel G. Latouf 232 Krause Drive Erie, PA 16511	UNT to the Allegheny River 16-F	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Erie County	PAG048424	Michael J. Chriest 4240 Kinter Hill Road Edinboro, PA 16412-1932	UNT to Conneauttee Creek 16A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Jackson Township Butler County	PAG048800	Maribeth Kresinski and Gregory M. Semashko 201 Gudekunst Road Zelienople, PA 16063-2607	UNT to Glade Run 20-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Harborcreek Township Erie County	PAG048433	James L. Hedlund 5410 Frederick Drive Erie, PA 16510-4806	UNT to Six Mile Creek 15-6M	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
LeBoeuf Township Erie County	PAG048429	Retha V. and Winfield S. McGahen 13031 McGahen Hill Road Waterford, PA 16441	UNT to French Creek 16A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Columbus Township Warren County	PAG049298	Florence E. and William L. Moyer P. O. Box 232 Columbus, PA 16405	UNT to Brokenstraw Creek 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Hempfield Township Mercer County	PAG049281	Bretton Walberg 250 Donation Road Greenville, PA 16125	UNT to the Little Shenango River 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Armstrong Township Indiana County	PAG086106	Redevelopment Authority of the City of Johnstown Public Safety Building 4th Floor 401 Washington Street Johnstown, PA 15901	Barr Farm	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. 2359008, Public Water Supply.

Applicant **PAWC**  
Dalton Borough,  
**Lackawanna County**

Responsible Official Paul Zielinski  
PAWC  
800 West Hersheypark Drive  
Hershey, PA 17033

Type of Facility PWS

Consulting Engineer Scott M. Thomas, P. E.  
PAWC  
852 Wesley Drive  
Mechanicsburg, PA 17055

Permit Issue Date 10/13/2006

Description of Action Permit approved the operation of PWS facilities (Dalton Tank Rehabilitation Project) constructed under Minor Permit Amendment issued 1/11/06.

##### Permit No. 3130037, Public Water Supply.

Applicant **Northeast Land Company**  
Kidder Township,  
**Carbon County**

Responsible Official D. James Hewlings  
Northeast Land Company  
P. O. Box 707  
Blakeslee, PA 18610

Type of Facility PWS

Consulting Engineer N/A

Permit Issue Date 10/19/06

Description of Action This operation permit provided for the designation of optimal corrosion control water quality performance requirements.

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

Applicant **Brodhead Creek Regional Authority**  
Stroud Township,  
**Monroe County**

Responsible Official Kenneth Brown, Manager  
Brodhead Creek Regional Authority  
410 Stokes Avenue  
East Stroudsburg, PA 18301

Type of Facility PWS

Consulting Engineer Russell D. Scott IV, P. E.  
RKR Hess Associates, Inc.  
P. O. Box 268  
East Stroudsburg, PA 18301

Permit Issue Date September 25, 2006

Description of Action Construction permit approving installation of distribution system piping, a PRV station and related appurtenances.

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

##### Permit No. 5506501—Construction Public Water Supply.

Applicant **McClure Municipal Authority**

Township or Borough McClure Borough

County **Snyder**

Responsible Official Quentin T. Wagner, Chairperson  
McClure Municipal Authority  
P. O. Box 138  
McClure, PA 17841-0138

Type of Facility Public Water Supply—Construction

Consulting Engineer Michele Klopf, P. E.  
Uni-Tec Consulting Engineers  
2007 Cato Avenue  
State College, PA 16801

Permit Issued Date October 31, 2006

Description of Action Construction of a new source of supply, Well No. 4 and transmission line to the existing treatment plant.

## 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.*

**Ashland Inc.**, Conshohocken Borough, **Montgomery County**. David Kistner, URS Corp., 335 Commerce Drive, Suite, 300, Fort Washington, PA 19034 on behalf of H. Morgan Smith, Colwell Properties, LLC., 201 El Elm St., Conshohocken, PA 19428 has submitted a Cleanup Plan concerning remediation of site soil contaminated with no. 2 fuel oil and other organics. The report is intended to document remediation of the site to meet the Site-Specific Standards.

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

**ConAgra Foods**, Whitehall Township, **Lehigh County**. Marjory Rinaldo-Lee, President, GeoLogic NY, Inc., P. O. Box 350, Homer, NY 13077 has submitted a Final Report (on behalf of her client, Julie Hopkins, Saputo Cheese, 25 Tri State International Office Center, Suite 250, Lincolnshire, IL 60069) concerning the remediation of soils and groundwater found or suspected to have been impacted by Nos. 2, 4 and 6 fuel oils as a result of release from an underground storage tank. The report was submitted in order to document attainment of the non-residential Statewide Health Standard and was also submitted in partial fulfillment of the Site-Specific Standard.

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

**Ed Spears Residence/RN Transport**, Franklin Township, **York County**. Marshall Miller & Associates, 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Edward Spears, 1623 South Mountain Road, Dillsburg, PA 17019 and Response Environmental, Inc., 912 Spring Circle, Mechanicsburg, PA 17055, resubmitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the Statewide Health Standard. The property is a private residence and will remain so in the future.

**Center at Rocky Meadows**, Carlisle Borough, Dickinson Township, South Middleton Township, **Cumberland County**. BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of Equiterra Properties, 140 West Huffaker Lane, Suite 509, Reno, NV 89511, submitted a Final Report concerning remediation of site groundwater contaminated with VOCs. The report is intended to document remediation of the site to the background health standard. The expected future use of the site is for retail/commercial development.

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

**Sunoco Logistics Partners-Barney's 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 combined Remedial Investigation/Risk Assessment/Clean-up Plan concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet a combined Site-Specific Standard and Statewide Health Standard.

**GE Transportation Motor Coil**, Emporium Borough, **Cameron County**. MACTEC Engineering and Consulting, Inc., Carnegie Office Park, Bldg. 4, 700 N. Bell Ave., Suite 200, Pittsburgh, PA 15106 on behalf of GE Transportation Systems, 2901 East Lake Road, Erie, PA 16531 has submitted a combined Remedial Investigation Report and Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents, inorganics, lead, other organics, PAHs and PCBs. The report is intended to document remediation of the site to meet both the Statewide Health Standard and Site-Specific Standard.

**Former B & B Equipment Site**, Clinton Township, **Lycoming County**. Molesevich Environmental, LLC, P. O. Box 654, Lewisburg, PA 17837 on behalf of Tom Shaheen, Shaheen Auto Sales, 5463 US 15, Montgomery, PA 17752 has submitted a combined Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with gasoline and diesel fuel. The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling

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

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

The Department has received the following plans and reports:

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

**Decker Residence**, Doylestown Township **Bucks County**. Staci Cottone, J & J Spill Service & Supplies, Inc., P. O. Box 370, Blue Bell, PA 19422 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on October 20, 2006.

**Pineville Lansdale Assoc., LP.**, Lansdale Borough **Montgomery County**. Harris Brody, Accredited Env. Technologies, Inc. 28 N. Pennell Rd., Media, PA 19063 has submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on October 17, 2006.

**Absco Parcel A**, City of Philadelphia **Philadelphia County**. Angelo Waters, Urban Engineers, Inc., 530 Walnut St., 14 Floor, Philadelphia, PA 19106 on behalf of Andy Karff, Absco, Inc., 1310-28 N. Second St., Philadelphia, PA 19122 has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil contaminated with metals, PCB's and lead. The Remedial Investigation Report and Cleanup Plan demonstrated attainment of the Site-Specific Standards and was approved by the Department on October 26, 2006.

**Shelly Plaza Shopping Center**, City of Philadelphia **Philadelphia County**. Sameul Kucia, Env., Consulting, Inc., 500 E. Washington Street. Norristown, PA 19401 on behalf of Michael Willner, Willner Realty & Dev., Co., 140 S. 69th St., Upper Darby, PA 19082 has submitted a Final Report concerning the remediation of site groundwater contaminated with organics. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on October 20, 2006.

*Northeast Regional Field Office, Ronald S. Brezinski, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Tamaqua Area School District—High/Middle School Campus**, Tamaqua Borough, **Schuylkill County**. Michael Beardsley, BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101 submitted a Final Report (on behalf of his client, Tamaqua Area School District, c/o Frederick Bausch, 138 West Broad Street, Tamaqua, PA 18252) concerning the remediation of No. 2 heating oil constituents found or suspected to be present in site soils and groundwater as the result of an accidental release from a malfunctioning transfer pump. The report demonstrated attainment of the residential Statewide Health Standard and was approved on October 12, 2006.

**Betty Brite Cleaners/Plaza 1500 Shopping Center**, Blakely Borough, **Lackawanna County**. Gilbert J. Marshall, P. G., Marshall Geoscience, Inc., 170 East First Avenue, Collegetown, PA 19426 submitted a combined Remedial Investigation Report/Final Report (on behalf of his client, William and Lorraine Alaimo, Box 532, 15 Blairmont, Linair Farm Road, Waverly, PA 18471) concerning the remediation of soils and groundwater impacted by chlorinated solvents. The reports demonstrated that the applicant has met the Site-Specific/Pathway Elimination Standard and were approved on October 30, 2006.

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

**Exxon Station No. 2-3706**, Birdsboro Borough, **Berks County**. Groundwater & Environmental Services, 6 Sheraton Drive, Suite 2, Altoona, PA 16601, on behalf of Exxon Mobil Corporation, 7715 Crittenden Street, No. 309, Philadelphia, PA 19118-4421 submitted a Remedial Investigation Report, Cleanup Plan, Risk Assessment Report and Final Report concerning the remediation of site soils and groundwater contaminated with unleaded gasoline. All four reports were approved by the Department on October 24, 2006, and final report demonstrated attainment of the Site-Specific Standard.

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

**Bellefonte Former MPG Site**, Spring Township, **Centre County**. PPL Services Corporation, 2 North 9th St., (GENTW-17), Allentown, PA 18101-1179 has submitted a Remedial Investigation Report concerning remediation of site soil contaminated with inorganics, lead (metals), organics and PAHS and groundwater contaminated with inorganics, organics and PAHS. The report was approved on October 26, 2006.

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

**Pileski Residence**, Conemaugh Township **Cambria County**. David Socks, Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011 on behalf of Deborah Pileski, 123 Thompson Street, Mineral Point, PA 15942 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with fuel oil No. 2. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 1, 2006.

**Hydril Company**, Rochester Township **Beaver County**. Steve Gerritsen, SE Technologies, Inc., 98 Vanadium Road, Building D, Second Floor, Bridgeville, PA 15017 on behalf of Andrew Ricks, Hydril Company, 3300 N. Sam Houston Parkway, Houston, TX 77032 has submitted a Final Report concerning the remediation of site soil contaminated with lead, zinc and chromium. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 19, 2006.

**Montour Railroad Shops**, Borough of Coraopolis, Robinson Township and Moon Township **Allegheny County**. Mark L. Orzechowski, 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of James R. Wilham, Alliance Realty Management, 2425 Sidney Street, Pittsburgh, PA 15203 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with diesel fuel and inorganics includes beryllium, cadmium and nickel. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on May 19, 2006.

**Molycorp Washington Site**, Canton Township **Washington County**. Alan Shuckrow, Malcolm Pirnie, Inc., 1603 Carmody Court, Sewickley, PA 15143 on behalf of Ray Cherniske, Molycorp, Inc., P. O. Box 469, Questa, NM 87556 has submitted a Cleanup Plan concerning the remediation of site soil and groundwater contaminated with VOC and semi volatile organics, metals and cyanide. The Cleanup Plan was approved by the Department on March 27, 2006.

**Franklin Mills Site**, Borough of Franklin **Cambria County**. Mark Urbassik, KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of John Toth, EMF Development Corp., 365 Bassett Road, Hooversville, PA 15936, and Richard McNulty, Borough of Franklin, 1125 Main Street, Johnstown, PA 15909 has submitted a Remedial Investigation Report and a Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with oils, solvents, lead, acids and PCBs. The Remedial Investigation Report and Risk Assessment Report were disapproved by the Department on April 21, 2006.

**Equitable Gas Property**, City of Pittsburgh **Allegheny County**. Karen E. Souza, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Signature Homes, 12630 Perry Highway, Wexford, PA 15090, and Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, PA 15219 has submitted a Final Report concerning the remediation of site soil contaminated with lead, heavy metals, and PAHs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 5, 2006.

## DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGM034D002. PPL Distributed Generation, LLC.**, Two North Ninth St., Allentown, PA 18101.

The General Permit WMGM034D002 is for the processing and beneficial use of landfill gas, generated at the Greater Lebanon Refuse Authority Landfill, as an alternate fuel for two power generators to be installed at this landfill. The electric produced will be transmitted to the local electric utility grid for consumers use. The general permit was issued by Central Office on October 27, 2006.

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

## AIR QUALITY

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

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

**23-301-118GP: Haven Memorial Park** (2500 Concord Road, Chester, PA 19013) on October 23, 2006, to operate a human crematory in Chester Township, **Delaware County**.

**23-302-144GP: Elwyn, Inc.** (111 Elwyn Road, Elwyn, PA 19063) on October 25, 2006, to operate two dual-fuel fired boilers in Middletown Township, **Delaware County**.

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

**GP3-67-05098A: O-N Minerals PenRoc Operation** (495 Penroc Drive, York, PA 17404) on October 24, 2006, for Portable Nonmetallic Mineral Processing Plant under GP 3 in West Manchester Township, **York County**.

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

**GP5-63-00925A: Mountain V Oil and Gas, Inc.** (712 Masonic Drive, P. O. Box 470, Bridgeport, WV 26330) on October 19, 2006, to operate a 178 bhp Waukesha rich

burn, natural gas-fired engine equipped with a catalytic converter at the Hackett Station in Fallowfield Township, **Washington County**.

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

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

**38-05035: PPL Distributed Generation, LLC** (2 North 9th Street, (GENPL8), Allentown, PA 18101-1105) on October 24, 2006, for a landfill gas to energy facility at the Greater Lebanon Refuse Authority landfill to install two engine generators (Caterpillar model G3520C, 1,600 kilowatts each) in North Annville Township, **Lebanon County**.

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

**61-187C: SMS Millcraft** (671 Colbert Avenue, Oil City, PA 16301) on October 20, 2006, to modify an existing air contamination source by no longer venting the copper plating tank to the fume scrubber in the Oil City Industrial Park in Oil City, **Venango County**.

**25-090C: Zurn Industries** (1301 Raspberry Street, Erie, PA 16502) on October 25, 2006, to construct a new dip coating operation at their Cast Iron Foundry in the City of Erie, **Erie County**. The facility currently has a State Only Operating Permit.

**16-010B: Owens Illinois—Clarion Plant** (151 Grand Avenue, Clarion, PA 16214-1708) on October 23, 2006, to modify their Hot End Surface Treatment system in Clarion Borough, **Clarion County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source.

**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.*

**46-0037Q: Cabot Supermetals** (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on October 24, 2006, to operate a wet dust collector in Douglass Township, **Montgomery County**.

**46-0155: Sermatech International, Inc.** (159 South Limerick Road, Royersford, PA 19468) on October 24, 2006, to operate three paint spray booths in Limerick Township, **Montgomery County**.

**46-0155C: Sermatech International, Inc.** (159 South Limerick Road, Royersford, PA 19468) on October 24, 2006, to operate a binder mix tank in Limerick Township, **Montgomery County**.

**46-0155D: Sermatech International, Inc.** (159 South Limerick Road, Royersford, PA 19468) on October 24, 2006, to operate a spray booth in Limerick Township, **Montgomery County**.

**46-0037V: Cabot Supermetals** (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on October 24, 2006, to operate a gemco dryer building No. 19 in Douglass Township, **Montgomery County**.

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

**17-305-050: Penfield Collieries, LLC** (301 Market Street, Kittanning, PA 16201) on October 25, 2006, to operate a coal preparation plant on a temporary basis until February 22, 2007, in Huston Township, **Clearfield County**. The plan approval has been extended.

**41-399-027: Smurfit-Stone Container Enterprises, Inc.** (P. O. Box 3097, Williamsport, PA 17701) on October 25, 2006, to operate a paperboard/plastic film gluing operation on a temporary basis until February 22, 2007, at 64 River Road in Porter Township, **Lycoming County**. The plan approval has been extended.

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

**65-00966A: Greensburg Thermal, LLC** (755 Oposum Lake Road, Carlisle, PA 17013) on October 27, 2006, to allow completion of stack testing at their facility in Hempfield Township, **Westmoreland County**. This plan approval was extended.

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

**62-017M: United Refining Co.** (15 Bradley Street, Warren, PA 16365) on October 26, 2006, to replace a DHT 1 burner in Warren, **Warren 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.**

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

**09-00001: Avery Dennison Corp.** (35 Penn Am Drive, Quakertown, PA 18951) on October 26, 2006, for renewal of a Title V facility in Richland Township, **Bucks County**. No significant changes have taken place at this facility since the previously issued TV Operating Permit, issued August 9, 2001. The facility's sources include boilers, maintenance and equipment cleaning tanks, emergency generator, coater lines and other sources defined in the TV Operating Permit. The permittee's does have the potential to emit more than the major threshold for VOC and NOx and is therefore characterized as a Title V, Major Facility. This facility is subjected to CAM, under 40 CFR Subpart 64. CAM is address in the Operating Permit through 40 CFR 63, Subpart JJJJ. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**09-00146: Pelmor Laboratories, Inc.** (3161 State Road, Bensalem, PA 19020) on October 26, 2006, for a Non-Title V Facility, State-only, Natural Minor Permit in Bensalem Township, **Bucks County**. The sources of emissions include four rubber mills controlled by a baghouse. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

**06-05108: Bally Ribbon Mills** (23 North 7th Street, Bally, PA 19503) on October 26, 2006, to operate a ribbon manufacturing facility in the Bally Borough, **Berks County**.

**21-05050: Naval Inventory Control Point** (5450 Carlisle Pike, Attn: Code 09M22, Mechanicsburg, PA 17055) on October 25, 2006, to operate a Naval Support Activity in Hampden Township, **Cumberland County**.

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

**03-00189: Glacial Sand and Gravel Co.** (P. O. Box 1022, Kittanning, PA, 16201-5022) on October 17, 2006, for a sand and stone processing plant to include three crushers, three triple deck screens, a sand screw, a CFS density separator, a super sieve, a sizing screen, two dewatering screens, numerous conveyors, transfer points and storage piles, plant haul roads and barge unloading at their Bridgeburg River Plant in East Franklin Township, **Armstrong County**.

**65-00619: Brass and Bronze Casting Co.** (1090 Sandy Hill Road, Irwin, PA 15642) on October 26, 2006, to operate their foundry in Penn Township, **Westmoreland County**.

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

**37-00012: Dunbar Asphalt Products** (4877 West State Street, Hillsville, PA 16132) on October 25, 2006, to reissue 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) on October 25, 2006, to re-issue 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.

**10-00065: Allegheny Mineral Corp.—Harrisville Plant** (133 Campground Road, Harrisville, PA 16038) on October 25, 2006, to reissue 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.

**37-00304: Heraeus Electro Nite Co.** (3 Fountain Avenue, Ellwood City, PA 16117-2172) on October 26, 2006, to issue 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.

**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.*

**09-00035: Plastomer Technologies** (23 Friends Lane, Newtown, PA 189402-1803) on October 30, 2006, to operate a PTFE extrusion facility in Newtown Township, **Bucks County**. This minor permit modification allows the condensing temperature to be increased, while air emissions will remain unchanged. Administrative Amendment of State-only Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.462.

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

**59-00005: Dominion Transmission, Inc.** (625 Liberty Avenue, Pittsburgh, PA 15222) on October 24, 2006, pursuant to the administrative amendment requirements of 25 Pa. Code § 127.450, to incorporate conditions established in Plan Approvals 59-00005E and 59-00005F for a 2,000 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine No. 6) at the Sabinsville Compressor Station in Clymer Township, **Tioga County**.

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

**04-00702: United States Gypsum Co.** (1 Woodlawn Rd., Aliquippa, PA, 15001) on October 25, 2006, the Title V Operating Permit was administratively amended to change the responsible official and permit contact person for the Aliquippa Plant located in Aliquippa, **Beaver County**. This is a Title V Permit.

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

**42-00095: Georgia Pacific Corp.** (One Owens way, Bradford, PA 16701) on October 24, 2006, for an Administrative Amendment of the State-only Operating Permit, to

incorporate the conditions of plan approval No. 42095B in City of Bradford, **McKean County**.

**43-00142: Salem Tube, Inc.** (951 4th Street, Reynolds Industrial Park, Greenville, PA 16125) on October 17, 2006, to modify Title V Permit to include a pickling tank and a boiler as a new source and a reference to a letter of the Environmental Protection Agency containing the approval of a compliance calculation for TCE Degreasing tank. The EPA letter and calculation letter has been attached to the permit as Appendix "C."

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### Coal Permits Actions

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

**03911302 and NPDES Permit No. NA. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). To renew the permit for the Roaring Run Mine in Kiskiminetas Township, **Armstrong County** for reclamation only. No additional discharges. Application received: September 27, 2006. Permit issued: October 24, 2006.

**63831302 and NPDES Permit No. PA0213608. Eighty Four Mining Company** (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Mine No. 84 in South Strabane Township, **Washington County** for longwall mining on 90 subsidence control plan area acres accepted for development mining. No additional discharges. Application received: May 16, 2005. Permit issued: October 24, 2006.

**32041301 and NPDES Permit No. PA0235644. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201-9642). To operate the Brush Valley Mine in Center and Brush Valley Townships, **Indiana County** a new underground mine and related NPDES permit. Surface Acres Proposed 133.2, Underground Acres Proposed 2,671.0, SCP Acres Proposed 1,169.0. Receiving streams: Tearing Run and a UNT to Brush Creek; classified for the following use: CWF. Application received: November 12, 2004. Permit issued: October 26, 2006.

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

**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. Permit issued: October 24, 2006.

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

**33860113. Cloe Mining Company, Inc.** (P. O. Box J, Grampian, PA 16838). Application for General Permit No. BMR-GP-102 to construct two permanent stream crossings in Young and Oliver Townships, **Jefferson County**. Receiving streams: UNT to Little Elk Run. Application received: October 13, 2006. Permit Issued: October 25, 2006.

**16010102 and NPDES Permit No. PA0241971. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801). Renewal of an existing bituminous strip operation in Clarion Township, **Clarion County** affecting 23.3 acres. This renewal is issued for reclamation only. Receiving streams: UNT "B" to Brush Run. Application received: September 1, 2006. Permit Issued: October 24, 2006.

**16050113. Timothy A. Keck** (93 Carrier Street, Summerville, PA 15864). Revision to an existing bituminous strip and sandstone removal operation to add blasting in Monroe Township, **Clarion County**. Receiving streams: UNT No. 1 to Sloan Run. Application received: August 15, 2006. Permit Issued: October 26, 2006.

**61050102 and NPDES Permit No. PA0258083. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous strip operation in Scrubgrass Township, **Venango County** affecting 92.0 acres. Receiving streams: three UNTs to the Allegheny River and three UNTs to Little Scrubgrass Creek. Application received: December 27, 2005. Permit Issued: October 26, 2006.

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

**17030120 and NPDES No. PA0243663. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849). Revision of an existing bituminous surface-auger mine in Beccaria Township, **Clearfield County**, affecting 96.3 acres. Receiving stream: UNT to Banian Run, classified for the following use: Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 23, 2006. Permit issued: October 20, 2006.

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

**40663024R4. Coal Contractors (1991), Inc.,** (P. O. Box 39, Hazleton, PA 18201). Renewal of an existing anthracite surface mine operation in Hazle Township, **Luzerne County** affecting 925.0 acres; receiving stream: none. Application received: March 17, 2006. Renewal issued: October 24, 2006.

**49061301 and NPDES Permit No. PA0224537. Excel Coal Company,** (R. R. 2 Box 665, Shamokin, PA 178720). Commencement, operation and restoration of an anthracite underground mine operation in Coal Township, **Northumberland County** affecting 23.0 acres; receiving stream: UNT to Shamokin Creek. Application received: March 9, 2006. Permit issued: October 26, 2006.

**54900103R3. EOJ, Inc.,** (2401 Summer Valley Road, New Ringgold, PA 17960). Renewal of an existing anthracite surface mine operation in East Norwegian Township,

**Schuylkill County** affecting 192.6 acres; receiving stream: none. Application received: October 11, 2005. Renewal issued: October 26, 2006.

*Noncoal Permits Actions*

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

**18020801. Benson W. Probst** (668 German Road, Lock Haven, PA 17745). Noncoal mining operation in Dunstable Township, **Clinton County**. Restoration of 1.0 acre completed. Application received: May 22, 2006. Final bond release: October 20, 2006.

**08040301. Glenn O. Hawbaker, Inc.**, (1952 Waddle Road, State College, PA 16804). Commencement, operation and restoration of a large industrial minerals surface mine permit (sand and gravel) in Canton Township, **Bradford County**, affecting 19.0 acres. Receiving stream: Towanda Creek. Application received: November 15, 2004. Permit issued: October 23, 2006.

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

**40060803. Green Tree Landscapes & Design, Inc.** (R. R. 1, Box 290-AA, Dallas, PA 18612). Commencement, operation, and restoration of a quarry operation in Nanticoke City, **Luzerne County** affecting 5.0 acres; receiving stream: none. Application: received May 3, 2006. Permit issued: October 23, 2006.

**58060831. Stanley Bennett** (R. R. 4, Box 121 C, Montrose, PA 18801). Commencement, operation and restoration of a quarry operation in Rush Township, **Susquehanna County** affecting 5.0 acres; receiving stream: none. Application received: May 2, 2006. Permit issued: October 24, 2006.

**58060833. Stanley Bennett** (R. R. 4, Box 121 C, Montrose, PA 18801). Commencement, operation and restoration of a quarry operation in Rush Township, **Susquehanna County** affecting 5.0 acres; receiving stream: none. Application received: May 2, 2006. Permit issued: October 24, 2006.

**58060846. Buck Ridge Stone, LLC** (R. R. 2, Box 137, Kingsley, PA 18826). Commencement, operation and restoration of a quarry operation in Harmony Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: June 12, 2006. Permit issued: October 25, 2006.

**58060847. Buck Ridge Stone, LLC** (R. R. 2, Box 137, Kingsley, PA 18826). Commencement, operation and restoration of a quarry operation in Thompson Township, **Susquehanna County** affecting 5.0 acres; receiving stream: none. Application received: June 12, 2006. Permit issued: October 25, 2006.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 (73 P.S. §§ 151–161) and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

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

**21064185. Hayduk Enterprises, Inc.** (257 Riverside Drive, Factoryville, PA 18419). Blasting activity permit issued for commercial development in Hampden Township, **Cumberland County**. Blasting activity permit end date is June 30, 2007. Permit issued: October 17, 2006.

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

**35064119. Hayduk Enterprises, Inc.** (257 Riverside Drive, Factoryville, PA 18419). Construction blasting for Cherry Ridge Development in Newton Township, **Lackawanna County** with an expiration date of October 31, 2007. Permit issued: October 23, 2006.

**39064119. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122). Construction blasting for Niagra Waters in Upper Macungie Township, **Lehigh County** with an expiration date of October 23, 2007. Permit issued: October 23, 2006.

**48064127. Schlouch, Inc.** (P. O. Box 69, Blandon, PA 19510). Construction blasting for The Preserve in Forks Township, **Northampton County** with an expiration date of October 25, 2007. Permit issued: October 23, 2006.

**360641107. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for a single dwelling in Rapho Township, **Lancaster County** with an expiration date of December 30, 2006. Permit issued: October 24, 2006.

**360641108. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for Weaverland Reception Center in Ephrata Township, **Lancaster County** with an expiration date of December 30, 2006. Permit issued: October 24, 2006.

**360641109. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for North Kinser Road Sewer in Paradise Township, **Lancaster County** with an expiration date of December 30, 2006. Permit issued: October 24, 2006.

**45064162. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507). Construction blasting for Mountain View Development in Stroud Township, **Monroe County** with an expiration date of October 20, 2007. Permit issued: October 24, 2006.

**67064140. David H. Martin Excavating, Inc.** (4961 Cumberland Highway, Chambersburg, PA 17201). Construction blasting for Perry Petroleum ES3 Job in Conewago Township, **York County** with an expiration date of April 23, 2008. Permit issued: October 24, 2006.

**67064023. Abel Construction Company, Inc.** (P. O. Box 476, Mountville, PA 17554). Construction blasting at Windsor Commons Phase 3 in Windsor Township, **York County** with an expiration date of October 12, 2007. Permit issued: October 26, 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.

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**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).**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E53-415. Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street, Clearfield, PA 16830. SR 0006 Bridge Replacement in Coudersport Borough, **Potter County**, ACOE Pittsburgh District (Coudersport, PA Quadrangle N: 4.44 inches; W: 2.54 inches).

To remove an existing two span structure and construct, operate and maintain a single span prestressed spread box beam bridge to carry SR 0006 over the Allegheny River for improved public highway safety. The single span bridge shall be constructed with a minimum clear normal span of 56.8 feet, underclearance of 10.5 feet, and skew of 75°. Since the Allegheny River is a stock trout stream, no construction or future repair work shall be done in or along the stream channel between March 1 and June 15 without the prior written approval of the Fish and Boat Commission. The bridge replacement project is located along the north and south right-of-way of SR 0006 approximately 750 feet east of the SR 0049 and SR 0006 intersection. This permit also authorizes construction, operation, maintenance and removal of temporary cofferdams, stream diversions, causeways and pedestrian footbridges. All in-stream temporary structures shall be constructed of clean rock, which is free of fines. Upon project completion, all temporary structures shall be removed with the disturbed areas restored to original contours and elevations.

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

**E03-439. Department of Transportation, Engineering District 10-0**, P. O. Box 429, 2550 Oakland Avenue, Indiana, PA 15701. To construct a bridge in Hovey Township, **Armstrong County** and Foxburg Borough, **Clarion County**, Pittsburgh ACOE District. (Emlenton, PA Quadrangle N: 2.6 inches; W: 7.8 inches and Latitude: 41° 8' 24"—Longitude: 79° 40' 52"). To remove the existing SR 58 single lane, steel truss bridge which has three 180 ft. long each spans; and to construct and maintain a two lane bridge upstream and adjacent to the existing bridge, which will have two 165 ft. center spans and two 140 ft. end spans with a minimum underclearance of 18.6 ft. above normal pool elevation over the Allegheny River (WWF) and associated stormwater outfalls between Foxburg Borough, Clarion County and Hovey Township, Armstrong County. A temporary causeway is to be used to construct the pier nearest Foxburg Borough and barges are to be used to construct three other piers. The site is located approximately 1.65 miles north of the Allegheny River confluence with the Clarion River.

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

**E20-546. Lakeside Holdings, LLC**, 11095 State Highway 18, Conneaut Lake, PA 16316. Lakeside Villas Wetland Fill, in Sadsbury Township, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 21.1 inches; W: 5.5 inches).

The applicant proposes to fill a 0.14 acre vernal pool wetland to construct homes on existing lots within an existing residential subdivision approximately 0.75 mile N of the intersection of SR 6 and SR 18. Project includes replacement of 0.152 acre of wetland approximately one mile from the proposed fill as described in the application.

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**SPECIAL NOTICES**

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**Certification to Perform Radon-Related Activities in this Commonwealth**

In the month of October 2006 the Department of Environmental Protection, under the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the following persons to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.



<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Biechler & Tillery, Inc.	2843 North Front Street Harrisburg, PA 17110	Testing
Michael Dillon	550 Cleveland Avenue Chambersburg, PA 17201	Testing
Daniel Festa Festa Radon Technologies Company	634 North Avenue Pittsburgh, PA 15209	Mitigation
Kevin Fischer, P. E.	P. O. Box 586 Yardley, PA 19067	Testing
Christopher Ford	2450 Brookdale Avenue Abington, PA 19001	Mitigation
Edward Lasorda	526 Ferncastle Drive Downingtown, PA 19335	Testing
Michael Lay	2235 Bernays Drive York, PA 17404	Testing
Kenneth Ladlee	134 Broad Street Suite 3 Stroudsburg, PA 18360	Mitigation
David Miller	3049 Enterprise Drive State College, PA 16801	Testing and Mitigation
Randolph Payne	1232 Raven Drive Pittsburgh, PA 15243	Testing
Roger Priest	1362 Old Skippack Road Salfordville, PA 18958	Mitigation
Ariel Rivera	70 Kirmis Court Dover, PA 17315	Testing
Joseph Schwab	303 Jacks Way Middletown, DE 19709	Testing
Marc Shanley	55 Country Acres Drive Kunkletown, PA 18058	Testing
John Urenovitch	75 South Hunter Highway Drums, PA 18222	Testing
Glenn Vernon Certified Radon Services	200 Newburn Avenue Pittsburgh, PA 15227	Testing
Todd Walter	3910 Colonial Avenue Erie, PA 16506	Testing

### **Abandoned Mine Project Proposal**

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

*Project Proposal Received:* EGS No. 56007, Shade Creek Watershed Association, 314 Central Avenue, Central City, PA 15926. A water pollution abatement project to construct a passive abandoned mine treatment system on properties owned by the Shade Creek Watershed Association located east of SR 160 just one mile north of Central City along Laurel Run. Project received: October 16, 2006.

### **Submission Date Extension for Calendar Year 2005 Applications for Municipal Recycling Program Performance Grant Applications under Section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101**

The Department of Environmental Protection (Department) announces an extension to the deadline for calendar year 2005 Recycling Program Performance Grant applications from municipalities for grant assistance

under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, section 904.

The deadline for submission of calendar year 2005 applications has been extended to 3 p.m., December 15, 2006. Applications must be on forms provided by the Department. Applications received by the Department after that date will not be considered. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of moneys in the Recycling Fund.

Applications may be obtained from the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (Keyword "Recycle"). Grant applications and inquiries concerning this notice should be directed to Mark Vottero, Waste Reduction and Recycling Section, Department of Environmental Protection, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, [mvottero@state.pa.us](mailto:mvottero@state.pa.us).

[Pa.B. Doc. No. 06-2202. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Availability of Modified Chapter 105 General Permit BWM-GP-11 and Reissuance of the 401 Water Quality Certification for the Maintenance, Testing, Repair, Rehabilitation or Replacement of Existing Water Obstructions and Encroachments

The Department of Environmental Protection (Department) announces the modification and finalization of Chapter 105 General Permit BWM-GP-11 and the reissuance of the 401 Water Quality Certification for the Maintenance, Testing, Repair, Rehabilitation, or Replacement of Existing Water Obstructions and Encroachments. The Department issues the modified General Permit, effective December 11, 2006, under the authority of section 7 of the Dam Safety and Encroachments Act (32 P. S. § 693.7) and 25 Pa. Code Chapter 105, Subchapter L (relating to general permits). The General Permit authorizes the maintenance, testing, repair, rehabilitation or replacement of any existing water obstruction or encroachment.

In accordance with 25 Pa. Code 105.446 (relating to procedure for issuance), the Department published notice of its intent to modify the General Permit at 35 Pa.B. 4368 (August 6, 2005). The Department proposed permit condition modifications including: allowing necessary appurtenant upstream and downstream works beyond the immediate 12-foot limitation for the actual bridge or culvert to restore, maintain and protect the stream and structure; limiting the use of bridges and culverts authorized under the general permit to their existing use; and clarifying language at standards Condition No. 16 Historical Resources.

During the 30-day public comment period on the proposed modifications, the Department received 24 comments from four persons/agencies. The Department has prepared a Comment and Response Document that summarizes the comments and the changes that were made, where applicable, to the General Permit.

Commentators suggested that the General Permit should not be used to put a structure to a different use. The General Permit has been clarified to indicate that structures cannot be put to a different use than for which they were originally constructed (for example, conversion and upgrade of a logging road for use as subdivision access). In addition, the General Permit condition regarding the widening of the structure to 12 feet on each side of the structure has been modified to allow for necessary appurtenant upstream and downstream works beyond the immediate 12-foot limitation for the actual bridge or culvert. Language has been added to the General Permit to ensure the appurtenant works are limited to the extent necessary to restore, maintain and protect the stream and structure as well as to ensure the protection of the public health, safety and the environment.

#### *401 Water Quality Certification*

The projects covered by General Permit BWM-GP-11 may also require a Federal license or permit. Section 401(a) of the Clean Water Act (33 U.S.C.A. § 1341(a)) requires that an applicant for a Federal license or permit to conduct any activity which may result in any discharge into the waters of the United States provide the Federal licensing or permitting agency a certification from the state in which the discharge will originate that the discharge will comply with applicable provision of the Clean Water Act as well as applicable State law related to water quality protection.

The Department issued 401 Water Quality Certification with the finalization of BWM-GP-11, which was advertised at 34 Pa.B. 3645 (July 10, 2004). The Department believes the modifications to BWM-GP-11 comply with the Commonwealth's water quality standards and is therefore reissuing the 401 Water Quality Certification for BWM-GP-11.

Copies of the General Permit documents package, including the Comment and Response document, may be obtained by contacting Claudia Merwin, Bureau of Watershed Management, Division of Waterways, Wetlands and Stormwater Management, P. O. Box 8775, Harrisburg, PA 17105-8775, (717) 787-6827, cmerwin@state.pa.us. Persons with a disability may obtain these documents by contacting the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). These documents are also available on the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: "Public Participation, Participate"; then choose "Other Proposals").

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-2203. Filed for public inspection November 9, 2006, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Aliquippa Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Aliquippa Community Hospital has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

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 require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2204. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of Bucks County GI Endoscopic Surgical Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Bucks County GI Endoscopic Surgical Center, LLC has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2205. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of Butler Ambulatory Surgery Center for Exception

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

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

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 require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980

or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2206. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of College Heights Endoscopic Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that College Heights Endoscopic Center, LLC has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2207. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of Corry Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Corry Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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 require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2208. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of Gettysburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gettysburg Hospital has requested an exception to the requirements of 28 Pa. Code § 127.31(b) (relating to policies and procedures).

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 require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2209. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of Physicians' Surgery Center Lancaster General for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Physicians' Surgery Center Lancaster General has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards) which requires compliance with minimum standards contained

in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 9.5.D2 (relating to public toilets).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2210. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of Pinnacle Health @ Harrisburg Hospital for Exception

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

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and

Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2211. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of Saint Vincent Health Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Saint Vincent Health Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.30.B2 (relating to elevators).

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

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

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

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

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

[Pa.B. Doc. No. 06-2212. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of The SurgiCenter at Ligonier for Exception

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

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

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

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

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

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

[Pa.B. Doc. No. 06-2213. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of UPMC Presbyterian Shadyside for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Presbyterian Shadyside has requested an exception to the requirements of 28 Pa. Code § 101.172 (relating to patient limits).

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

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

[Pa.B. Doc. No. 06-2214. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of UPMC St. Margaret Harmor Outpatient Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC St. Margaret Harmor Outpatient Center has requested an exception to the requirements of 28 Pa. Code § 563.10 (relating to ownership).

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 require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2215. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of Vascular Access Center of Philadelphia for Exception

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

The facility is also requesting exception to 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 9.5.D.1, 9.5.F1, 9.5.F2 and Table 9.2.

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980

or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2216. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of The Washington Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Washington Hospital has requested an exception to the requirements of 28 Pa. Code § 143.5 (relating to medical supervision of podiatric patients).

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 require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2217. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Application of Washington Square Endoscopy Center, LLC for Exception

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

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

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 require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-2218. Filed for public inspection November 9, 2006, 9:00 a.m.]

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

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

Landis Homes  
1001 E. Oregon Road  
Lititz, PA 17543-9206  
FAC ID 120602

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@state.pa.us.

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

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

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

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

[Pa.B. Doc. No. 06-2219. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Thursday, December 7, 2006, from 10 a.m. to 3 p.m. in the Lebanon Room, PaTTAN, Harrisburg Office, 6340 Flank Drive, Harrisburg, PA 17112.

For additional information, or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Danielle M. Tedesco, Public Health Program Administrator, Division of Child and Adult Health Services at (717) 772-2762 or for speech and/or hearing impaired persons, contact V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 06-2220. Filed for public inspection November 9, 2006, 9:00 a.m.]

## DEPARTMENT OF HEALTH AND PATIENT SAFETY AUTHORITY

### Freestanding Abortion Facilities—Requirement to Comply with the Medical Care Availability and Reduction of Error (MCARE) Act

On May 1, 2006, the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910) was amended by the act of May 1, 2006 (P. L. 103, No. 30) to require certain freestanding abortion facilities to comply with its terms, beginning no earlier than January 1, 2007.

By way of background, the MCARE Act established the Patient Safety Authority (Authority) and charged it with, among other responsibilities, the development of a reporting system for facilities subject to the MCARE Act to report “incidents,” “serious events” and “infrastructure failures” as defined in the MCARE Act. The Statewide reporting system developed is known as the Pennsylvania Patient Safety Reporting System (PA-PSRS), through which facilities report “incidents” and “serious events” to the Authority and “serious events” and “infrastructure failures” to the Department of Health (Department).

Facilities subject to the MCARE Act are required to make the mandatory reports through PA-PSRS, pay a proportionate share of the Authority’s annual budget into the Patient Safety Trust, develop and implement a Patient Safety Plan meeting the requirements of the MCARE Act, identify a Patient Safety Officer and establish a Patient Safety Committee to fulfill certain responsibilities set forth in the MCARE Act, provide written notification to patients upon the occurrence of a “serious event” and notify the appropriate licensing board if a health care worker fails to report a “serious event.”

Freestanding abortion facilities that perform 100 or more abortions between June 30, 2006, and December 31, 2006, are subject to the MCARE Act beginning January 1, 2007, and are required to comply with its terms and begin reporting through PA-PSRS upon submission of a Patient Safety Plan to the Department no later than 60 days after January 1, 2007. Other freestanding abortion facilities that perform 100 or more abortions in any calendar year beginning 2007 and thereafter are subject to the MCARE Act on the day following the 100th

abortion. Once subject to the MCARE Act, each facility must continue to satisfy the requirements unless it provides written notice to the Department that it will not be performing and does not perform 100 or more abortions in that calendar year.

Following this notice is a summary of the MCARE Act requirements as they pertain to freestanding abortion facilities. Nothing therein is intended to supersede or modify anything set forth in the MCARE Act.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Janice Staloski, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-2500. Speech and/or hearing impaired persons may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ANA MCKEE, M. D.,  
Chair of Board of Directors  
Patient Safety Authority

RICHARD H. LEE,  
Deputy Secretary for Quality Assurance  
Department of Health

### Summary of MCARE Act Responsibilities as They Pertain to Freestanding Abortion Facilities

#### Definitions

For purposes of this summary, the following definitions apply:

A "health care worker" is an employee, independent contractor, licensee or other individual authorized to provide health care services in the freestanding abortion facility.

An "incident" is an event, occurrence or situation involving the clinical care of a patient in the freestanding abortion facility that could have injured the patient but did not either cause an unanticipated injury or require the delivery of additional health care services to the patient.

An "infrastructure failure" is an undesirable or unintended event, occurrence or situation involving the infrastructure of a freestanding abortion facility or the discontinuation or significant disruption of a service which could seriously compromise patient safety.

A "serious event" is an event, occurrence or situation involving the clinical care of a patient in the freestanding abortion facility that results in death or compromises patient safety and results in an unanticipated injury requiring the delivery of additional health services to the patient.

#### Freestanding Abortion Facilities That Perform 100 or More Abortions in 2006 After June 30, 2006

Effective January 1, 2007, any freestanding abortion facility that performs 100 or more abortions in the 2006 calendar year after June 30, 2006, will be subject to the requirements of Chapter 3 (relating to patient safety) of the MCARE Act (40 P. S. §§ 1303.301–1303.315), which include, but are not limited to, the following:

*Assessment*—It shall pay an assessment, to be deposited into the Patient Safety Trust Fund (Fund), within 30 days after the assessment is levied by the Department of Health (Department). Section 305(g) of the MCARE Act. The Department shall determine the assessment by applying the same methodology for calculating the assessment that it utilizes for ambulatory surgical facilities. Section 305(c) of the MCARE Act (40 P. S. § 1303.305(c)).

*Patient Safety Plan*—It shall develop in consultation with the licensees providing health care services in the facility, and then implement and comply with an internal patient safety plan that it shall establish for the purpose of improving the health and safety of its patients. Section 307(a) of the MCARE Act (40 P. S. § 1303.307(a)). By March 2, 2007, it shall submit its patient safety plan to the Department for the Department's approval. Section 315(b) and (d) of the MCARE Act (40 P. S. § 1303.315(b) and (d)). It shall also begin reporting incidents, infrastructure failures, and serious events on the date it submits its patient safety plan to the Department. The Department will approve or disapprove the patient safety plan within 60 days after receiving it. Section 307(c) of the MCARE Act. Upon approval of the patient safety plan by the Department, the facility shall notify its health care workers of the plan. The facility shall require compliance with the plan by a health care worker as a condition of employment or credentialing at the facility. Section 307(d) of the MCARE Act. The patient safety plan shall do all of the following:

1. Designate a patient safety officer.
2. Establish a patient safety committee.
3. Establish a system for the facility's health care workers to report incidents and serious events 24 hours a day, 7 days a week.
4. Prohibit any retaliatory action against a health care worker for reporting an incident or serious event in accordance with the Whistleblower Law (43 P. S. §§ 1421–1428).
5. Provide for written notification of patients who are affected by a serious event. Section 307(b)(1)–(5) of the MCARE Act.

*Patient Safety Officer*—It shall have a patient safety officer, which it must designate no later than the date it submits its patient safety plan to the Department. Sections 307(b)(1) and 315(b) and (d) of the MCARE Act. The patient safety officer shall do all of the following:

1. Serve on the facility's patient safety committee.
2. Ensure the investigation of all reports of incidents and serious events.
3. Take action as is immediately necessary to ensure patient safety against any harm identified from the investigation of a report of an incident or serious event.
4. Report to the patient safety committee regarding any action taken to promote patient safety as a result of an investigation of a report of an incident or serious event. Section 309(1)–(4) of the MCARE Act (40 P. S. § 1303.309(1)–(4)).

*Patient Safety Committee*—It shall have a patient safety committee, which it must establish no later than the date it submits its patient safety plan to the Department. Sections 307(b)(2) and 315(b) and (d) of the MCARE Act. The patient safety committee shall meet at least quarterly and be composed of the patient safety officer, at least one health care worker at the facility, and at least one resident of the community served by the facility who is not an agent, employee or contractor of the facility. Additional membership requirements are that no more than one member of the facility's governing board may serve on the patient safety committee, and the committee shall include members of both the facility's medical and nursing staff. Section 310(a)(2) of the MCARE Act (40 P. S. § 1303.310(a)(2)). The patient safety committee shall do all of the following:



1. Receive reports from the patient safety officer regarding any action taken to promote patient safety as a result of an investigation of a report of an incident or serious event.

2. Evaluate investigations and actions of the patient safety officer on all reports of incidents and serious events.

3. Review and evaluate the quality of patient safety measures utilized by the facility. These reviews shall include consideration of the following:

a. Reports to the facility from the contracted entity of the Authority of immediate changes that can be instituted for the purpose of reducing the number and severity of incidents and serious events. Section 304(a)(5)(iii) of the MCARE Act (40 P. S. § 1303.304(a)(5)(iii)).

b. Reports to the facility from the Authority of reports of incidents or serious events filed with the Authority by health care workers. Section 304(a)(5)(iii) and (7) of the MCARE Act.

c. Reports to the facility from its health care workers of incidents and serious events. Section 308(a) of the MCARE Act (40 P. S. § 1303.308(a)).

4. Make recommendations to eliminate future incidents and serious events.

5. Report to the administrative officer and governing body of the facility on a quarterly basis regarding the number of incidents and serious events and its recommendations to eliminate future incidents and serious events. Section 310(b)(1)–(5) of the MCARE Act.

*Duty to Notify Patient*—Through an appropriate designee it shall provide written notification to a patient who has been affected by a serious event or, with the consent of the patient, to an available family member or designee. The notice shall be given within 7 days after the facility's discovery of the serious event. If the patient is unable to give consent and has not designated a person to receive the notice, the facility shall give the written notification to an adult member of the patient's immediate family and, if the facility is unable to identify or locate such a person, it shall give the written notification to the closest adult family member. If the patient is an unemancipated minor under 18 years of age, the facility shall provide the written notification to the patient's parent or guardian. Section 308(b) of the MCARE Act. Its duty to provide such written notifications begins when it submits its patient safety plan to the Department. Sections 307(b)(5), 308(b) and 1303.315(b) and (d) of the MCARE Act.

*Serious Event Reports by Facility*—It shall report to the Department and the Authority the occurrence of a serious event within 24 hours after it confirms the occurrence of a serious event. Section 313(a) of the MCARE Act (40 P. S. § 1303.313(a)). It shall begin reporting serious events upon submission of its patient safety plan to the Department. Section 315(e) of the MCARE Act.

*Incident Reports by Facility*—It shall report to the Authority the occurrence of an incident in a form and manner prescribed by the Authority. The report shall not include the name of any patient or any other identifiable individual information. Section 313(b) of the MCARE Act. It shall begin reporting incidents upon submission of its patient safety plan to the Department. Section 315(e) of the MCARE Act.

*Infrastructure Failure Reports by Facility*—It shall report to the Department the occurrence of an infrastructure failure within 24 hours after it confirms the occur-

rence of an infrastructure failure. Section 313(c) of the MCARE Act. It shall begin reporting infrastructure failures upon submission of its patient safety plan to the Department. Section 315(e) of the MCARE Act.

*Notification to Licensure Boards*—If it discovers that a health care worker regulated by a licensing board failed to report a serious event as required by the MCARE Act, it shall notify the licensing board of that health care worker's failure to report. Section 313(e) of the MCARE Act. A health care worker's responsibility to report serious events begins when the abortion facility submits its patient safety plan to the Department. Sections 307(b)(3), 308(a) and 315(b) and (d) of the MCARE Act.

*Continuation of Responsibilities in Subsequent Years*—It shall continue to satisfy the duties imposed upon it under Chapter 3 of the MCARE Act in subsequent calendar years unless it gives the Department written notice that it will not be performing 100 or more abortions in a calendar year and does not perform 100 or more abortions in that calendar year. Section 315(b) of the MCARE Act.

**Freestanding Abortion Facilities That Do Not Perform 100 or More Abortions in 2006 After June 30, 2006, But Perform 100 or More Abortions in a Subsequent Calendar Year**

A freestanding abortion facility that does not perform 100 or more abortions in the 2006 calendar year after June 30, 2006, but does perform 100 or more abortions in a subsequent calendar year, shall be subject to Chapter 3 of the MCARE Act, and the requirements with the following variations, the day following the performance of its 100th abortion in that calendar year. Section 315(c) of the MCARE Act. Within 60 days following its performance of its 100th abortion in that calendar year it shall submit its patient safety plan to the Department. Section 315(d) of the MCARE Act. It shall begin reporting incidents, infrastructure failures, and serious events on the date it submits its patient safety plan to the Department. Section 315(e) of the MCARE Act. By the date it submits its patient safety plan it shall also designate a patient safety officer, establish a patient safety committee, establish a system accessible at all times for its health care workers to report serious events and incidents, begin required patient notifications of serious events, and begin reporting to licensing boards health care workers regulated by the boards who failed to report a serious event as required by the MCARE Act. Sections 307(b) 315(c) and (d) of the MCARE Act.

It shall be the responsibility of a freestanding abortion facility to determine when it performs 100 abortions in a calendar year and to then come into compliance with the requirements of Chapter 3 of the MCARE Act.

**Sanctions Against Abortion Facilities**

*Late Payment of Assessment*—If after 30 days' notice the facility fails to pay an assessment levied by the Department under Chapter 3 of the MCARE Act, the Department may impose an administrative penalty of \$1,000 per day against it until the assessment is paid. Section 305(g) of the MCARE Act.

*Failure to Report or Notify*—If the facility fails to satisfy the requirements of Chapter 3 of the MCARE Act to report an infrastructure failure or serious event; or to develop and comply with a patient safety plan; or to notify a patient of a serious event, the Department may revoke the facility's approval to perform abortions under 28 Pa. Code § 29.43 (relating to facility approval). Section 313(f) of the MCARE Act. This applies to both freestanding and hospital abortion facilities that are subject to

Chapter 3 of the MCARE Act. In addition, if the facility fails to report a serious event or an infrastructure failure, or fails to notify a licensing board of a health care worker's failure to report a serious event, as required by Chapter 3 of the MCARE Act, the Department may impose a \$1,000 per day administrative penalty on the facility until it files the required report or makes the required notification. Id.

### Responsibilities of Health Care Workers

*Compliance With Patient Safety Plan*—A health care worker shall comply with the facility's patient safety plan as a condition of employment or credentialing at the facility. Section 307(d) of the MCARE Act.

*Reporting Incidents and Serious Events*—A health care worker who reasonably believes that an incident or serious event has occurred shall report the incident or serious event as directed in the facility's patient safety plan unless the health care worker knows that a report has already been made. The health care worker shall report the matter immediately upon discovering it or as soon thereafter as reasonably practical, but in no event less than 24 hours after discovery. Section 308(a) of the MCARE Act.

[Pa.B. Doc. No. 06-2221. Filed for public inspection November 9, 2006, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

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

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
James Electric Inc. and James Henke and Christine Henke, individually	1757 Bigger Road Bulger, PA 15019	10/25/2006

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 06-2222. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 65-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of

them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Isacco Tile Co., and Guy Samuel Isacco and David Nelson Isacco, individually	452 West Sunbury Road Butler, PA 16001	10/27/2006

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 06-2223. Filed for public inspection November 9, 2006, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Availability of the Fiscal Year 2007 Low-Income Home Energy Assistance Program State Plan

The Department of Public Welfare (Department) is making available to the public the 2007 Low-Income Home Energy Assistance Program State Plan (State Plan). The State Plan describes how the Department plans to use block grant funds provided under the Low-Income Home Energy Assistance Act, Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. No. 97-35) (42 U.S.C.A. §§ 8621—8629), as amended, during the 2006-07 program year.

Copies of the State Plan are available for interested individuals and groups at county assistance offices or upon written request to Donna Roe, Director, Division of Federal Programs and Program Management, Department of Public Welfare, Complex No. 2, Room 224, Willow Oak Building No. 42, Harrisburg, PA 17105.

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

ESTELLE B. RICHMAN,  
*Secretary*

[Pa.B. Doc. No. 06-2224. Filed for public inspection November 9, 2006, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Lucky Hearts '06 Instant Lottery Game

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

- Name*: The name of the game is Pennsylvania Lucky Hearts '06.
- Price*: The price of a Pennsylvania Lucky Hearts '06 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Lucky Hearts '06 instant lottery game ticket will contain one play area featuring a "LUCKY NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "LUCKY 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), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR) and 24 (TWYFOR). 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), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), Arrow symbol (ARROW) and a Double Heart symbol (DBLHRT).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

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

6. *Approximate Number of Tickets Printed for the Game:* Approximately 3,600,000 tickets will be printed for the Pennsylvania Lucky Hearts '06 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "LUCKY NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "LUCKY NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Arrow symbol (ARROW), and a prize symbol of \$1,000 (ONE THO) appears under the Arrow symbol (ARROW) on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Heart symbol (DBLHRT), and a prize symbol of \$500 (FIV HUN) appears under the Double Heart symbol (DBLHRT) on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "LUCKY 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.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Arrow symbol (ARROW), and a prize symbol of \$500 (FIV HUN) appears under the Arrow symbol (ARROW) on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Heart

symbol (DBLHRT), and a prize symbol of \$100 (ONE HUN) appears under the Double Heart symbol (DBLHRT) on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "LUCKY 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.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Arrow symbol (ARROW), and a prize symbol of \$100 (ONE HUN) appears under the Arrow symbol (ARROW) on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Heart symbol (DBLHRT), and a prize symbol of \$50\$ (FIFTY) appears under the Double Heart symbol (DBLHRT) on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "LUCKY 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.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Arrow symbol (ARROW), and a prize symbol of \$50\$ (FIFTY) appears under the Arrow symbol (ARROW) 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 is a Double Heart symbol (DBLHRT), and a prize symbol of \$20\$ (TWENTY) appears under the Double Heart symbol (DBLHRT) on a single ticket, shall be entitled to a prize of \$40.

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

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Arrow symbol (ARROW), and a prize symbol of \$20\$ (TWENTY) appears under the Arrow symbol (ARROW) 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 Double Heart symbol (DBLHRT), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Double Heart symbol (DBLHRT) 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 any of the "LUCKY NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (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 an Arrow symbol (ARROW), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Arrow symbol (ARROW) 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 Double Heart

symbol (DBLHRT), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the Double Heart symbol (DBLHRT) 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 any of the "LUCKY NUMBERS" play symbols and a prize symbol of \$5<sup>00</sup> (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 an Arrow symbol (ARROW), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the Arrow symbol (ARROW) on a single ticket, shall be entitled to a prize of \$5.

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

*When Any of Your Numbers  
Match Any of The Lucky  
Numbers, Win With  
Prize(s) of:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 3,600,000 Tickets</i>	
\$5 w/ARROW	\$5	15	240,000
\$5	\$5	20	180,000
\$5 × 2	\$10	60	60,000
\$5 w/DBLE HEART	\$10	60	60,000
\$10 w/ARROW	\$10	60	60,000
\$10	\$10	60	60,000
\$10 w/DBLE HEART	\$20	120	30,000
\$20 w/ARROW	\$20	120	30,000
\$20	\$20	60	60,000
\$5 × 10	\$50	300	12,000
\$10 × 5	\$50	300	12,000
\$20 w/DBLE HEART + \$10	\$50	300	12,000
\$50 w/ARROW	\$50	300	12,000
\$50	\$50	300	12,000
\$10 × 10	\$100	1,333	2,700
\$20 × 5	\$100	1,412	2,550
\$50 × 2	\$100	1,412	2,550
\$50 w/DBLE HEART	\$100	1,412	2,550
\$100 w/ARROW	\$100	1,395	2,580
\$100	\$100	1,237	2,910
\$50 × 10	\$500	17,143	210
\$100 × 5	\$500	17,143	210
\$100 w/DBLE HEART + \$100 × 3	\$500	17,143	210
\$500 w/ARROW	\$500	17,143	210
\$500	\$500	17,143	210
\$500 w/DBLE HEART	\$1,000	120,000	30
\$1,000 w/ARROW	\$1,000	120,000	30
\$1,000	\$1,000	120,000	30
\$50,000	\$50,000	360,000	10

ARROW (ARROW) = Win prize shown under it automatically.  
DBLE HEART (DBLHRT) = Win double the prize shown.

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

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lucky Hearts '06, prize money from winning Pennsylvania Lucky Hearts '06 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Lucky Hearts '06 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will

be paid into the State Lottery Fund and used for purposes provided for by statute.

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

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

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 06-2225. Filed for public inspection November 9, 2006, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Finding Lebanon County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Deputy Secretary for Highway Administration makes the following written finding:

The Department of Transportation (Department) plans to improve existing SR 0501 through the Village of Schaefferstown in Heidelberg Township, Lebanon County, PA. The proposed roadway is a bypass of the Village of Schaefferstown on new alignment. The project will use property within Brendle Farms, the Old Mill Historic District and the Heidelberg Township Bike Path. Brendle Farms is listed on the National Register of Historic Places. The Old Mill Historic District has been determined eligible for the National Register of Historic Places. The Heidelberg Township Bike Path, which begins at the Heidelberg Township Park and extends east to SR 0501, is a publicly owned recreation area that is valued by the officials having jurisdiction over the land. The project requires 2.7 hectares (6.7 acres) of right-of-way from Brendle Farms and 4.1 hectares (10.2 acres) of right-of-way from the Old Mill Road Historic District. The subject project uses two contributing properties within Brendle Farms and three contributing properties within the Old Mill Road Historic District. The project will use 0.01 hectare (0.03 acre) of right-of-way from the Heidelberg Township Bike Path.

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 the effects. A Memorandum of Agreement (MOA) has been developed and signed for the proposed action. Minimization/mitigation measures in the MOA include: incorporating design features that will minimize physical and visual effects on contributing resources in each historic property while meeting current Federal and State highway design standards; incorporating historically sensitive landscaping elements; creating educational materials; and providing a historical marker for Brendle Farms. Additional specific mitigation measures may be provided that will address access needs for two property owners on Brendle Farms. The subject project will separate the western portion of the Heidelberg Township Bike Path from the eastern portion of the Heidelberg Township Bike Path at its crossing of the proposed SR 0501. To mitigate impacts to the Heidelberg Township Bike Path, advance signage will be provided on both the roadway and bike path, and pavement markings on the roadway will be provided. A stop sign will be provided on the bike path at the crossing. Pavers on the bike path in the crossing area will serve as a transition, which in combination with the stop sign will provide appropriate warning of the crossing for bike path users.

The Deputy Secretary for Highway Administration has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to

the project as designed and all reasonable steps have been taken to minimize effects.

RICHARD H. HOGG, P. E.,  
*Deputy Secretary for Highway Administration*

[Pa.B. Doc. No. 06-2226. Filed for public inspection November 9, 2006, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Moyer Packing Company v. DEP; EHB Doc. No. 2006-231-K

Moyer Packing Company has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Franconia Township, Montgomery County, PA.

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

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

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

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 06-2227. Filed for public inspection November 9, 2006, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-400	Environmental Quality Board Mine Opening Blasting 36 Pa.B. 5608 (September 2, 2006)	10/2/06	11/1/06

**Environmental Quality Board  
Regulation #7-400  
(IRRC #2560)**

**Mine Opening Blasting**

**November 1, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the September 2, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board to respond to all comments received from us or any other source.

**1. Surface mining blasting and blaster licensing.—  
Consistency with statutes; Economic impact.**

*Surface mining blasting*

In the Preamble, the EQB explains that the Mining and Reclamation Advisory Board “deadlocked on whether certain changes should be made to affirm mine opening blasting is surface mining blasting.” The Pennsylvania Coal Association (PCA) submitted extensive comment in support of its belief that the EQB lacks legal authority “to apply surface blasting regulations to blasting at coal mine shaft and slope construction operations subsequent to the first two blasts.” In response to these concerns, the EQB needs to fully explain its authority to regulate coal mine shaft and slope construction.

*Blaster licensing*

PCA also commented that “there is no legal authority for DEP to require blasters for the underground blasts to obtain licenses under 25 Pa. Code Chapter 210.” The EQB needs to fully explain its authority to require coal mine blasters to be licensed.

*Costs and/or savings to the regulated community*

In response to Regulatory Analysis Form question #17, the EQB states that “this proposed amendment does not impose any additional costs on the regulated community.” PCA takes issue with this statement. PCA states the regulations will not provide more flexibility and will result in significant cost increases. The EQB needs to respond to PCA’s concerns.

**2. Exception to the requirement to conduct blasting between sunrise and sunset.—Protection of the public welfare; Economic impact; Reasonableness; Clarity.**

The EQB is proposing similar amendments to Sections 77.564(b), 87.127(a) and 88.135(a). Under existing regulation, blasting must be conducted between sunrise and

sunset. An exception is proposed in each of these sections to allow blasting around the clock, after the second blast. We have the following concerns with the amendment to each of these sections.

*“Blasting conducted after the second blast”*

The exception is limited to “blasting conducted after the second blast.” However, these sections are not clear regarding what constitutes a “blast” and therefore when this exception applies. The regulations should either specify or cross-reference what constitutes a blast.

*“As necessary to maintain stability of the mine opening”*

It is not clear what criteria will be used to evaluate the stability of the mine opening. As written, it appears this exception could be invoked in virtually any circumstance and could supersede the blasting schedule. What stabilization measures would the blaster have to attempt before determining that stability cannot be maintained? The regulation should specify what stability criteria must be unattainable to trigger the exception.

*“If consented to, in writing, by the affected building owner and lessee”*

We have five questions. First, what information must be provided to the owner or lessee in relation to a proposal to use less stringent vibration limits than those specified in the regulation? Second, will this information be in writing? Third, if the blasting results in damage to the property, would this consent negate private insurance coverage? Fourth, will the owner or lessee be informed that the blaster takes full responsibility for any damage? Finally, who could the owner and lessee contact if they have questions on the information given to them? Given that the building owner and lessee are not likely to be experts on the effects of blasting, the regulation should indicate what information the building owner and lessee must be given before giving written consent to less stringent vibration limits, and should specify that the blaster has strict liability for damages. The EQB should also consider developing a standard consent form that includes this information.

**3. Deletion of “excessive noise.”—Protection of the public health.**

The EQB is proposing to amend Sections 77.564(c) and 87.127(b). The Preamble states that “rather than protecting against noise, these sections will now protect against the adverse effects of the ground or air vibrations caused by the blast.” We have two concerns.

First, the language added to these provisions will state “. . . to adequately protect the public from the adverse affects [sic] of vibration or safety hazards.” We recommend that the amended language state “ground or air vibrations” consistent with the Preamble.

Second, the EQB is proposing to delete the phrase “excessive noise” from Sections 77.564(c) and 87.127(b). Excessive noise can be an “adverse affects [sic] of vibration.” The EQB should explain why excessive noise no longer needs to be directly considered.

**4. Surface blasting requirements.—Reasonableness.**

Sections 87.127(f)(1) and 88.135(f)(1) will be amended to state:

The operator may use an alternative measure to this requirement if the operator demonstrates, to the Department's satisfaction, that the alternative measure is at least as effective at protecting persons and property from the adverse affects [sic] of a blast.

The amendments include a list of alternative measures. We have two concerns. First, we recommend that the operator's request and Department approval be in writing. Second, would local government or residents be given notice and the opportunity to participate in this decision?

ALVIN C. BUSH,  
*Chairperson*

[Pa.B. Doc. No. 06-2228. Filed for public inspection November 9, 2006, 9:00 a.m.]

the the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Written statements must include 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. Written statements should be directed to Stephanie Ohnmacht, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, sohnmacht@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-2230. Filed for public inspection November 9, 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. To obtain a copy of a regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

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

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-397	Environmental Quality Board Stream Redesignations (Newtown Creek, et al.)	10/25/06	11/30/06
18-393	Department of Transportation Child Passenger Protection	10/27/06	11/30/06

ALVIN C. BUSH,  
*Chairperson*

[Pa.B. Doc. No. 06-2229. Filed for public inspection November 9, 2006, 9:00 a.m.]

**Application and Request for a Certificate of Authority**

Homewood at Spring House Estates, Inc. has applied for a continuing care provider Certificate of Authority to operate a facility located in Everett, PA. The filing was received on October 25, 2006, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Written statements must include 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. Written statements should be directed to Stephanie Ohnmacht, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, sohnmacht@state.pa.us.

M. DIANE KOKEN,  
*Secretary*

[Pa.B. Doc. No. 06-2231. Filed for public inspection November 9, 2006, 9:00 a.m.]

**Application for Approval to Redomesticate**

Harleysville Worcester Insurance Company, a Massachusetts stock property and casualty insurance company, has submitted a Plan of Redomestication whereby it proposes to redomesticate from the Commonwealth of Massachusetts to the Commonwealth of Pennsylvania. The filing was made under 15 Pa.C.S. §§ 4161 and 4162 (relating to domestication; and effect of domestication) and section 357 of the Insurance Company Law of 1921 (40 P. S. § 477e). Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 14

**INSURANCE DEPARTMENT**

**Application and Request for a Certificate of Authority**

Bethlen Home of the Hungarian Reformed Federation of America has applied for a continuing care provider Certificate of Authority to operate a facility located in Ligonier, PA. The filing was received on October 30, 2006, and was made under the requirements set forth under

days from the date of this issue of the *Pennsylvania Bulletin*. Each 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 and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Stephanie Ohnmacht, Company Licensing

Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, sohnmacht@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-2232. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### List of Approved Guide Source Method Vendors; Notice No. 2006-11

Under the authority of the Motor Vehicle Physical Damage Appraisers Act (63 P.S. §§ 851—863), the Insurance Commissioner hereby lists guide source providers approved to calculate the replacement value of total loss or unrecovered vehicles under the Motor Vehicle Physical Damage Appraisers regulation, 31 Pa. Code § 62.3(e)(1)(i) (relating to applicable standards for appraisal).

A listing of approved guide source method providers will be published annually in the *Pennsylvania Bulletin*. In the interim, an updated listing may be obtained by contacting the Insurance Department, Bureau of Consumer Services, 1209 Strawberry Square, Harrisburg, PA 17120. Requests for this information may also be submitted to ra-in-consumer@state.pa.us or telephone toll free (877) 881-6388 or faxed to (717) 787-8585.

#### Approved Guide Source Vendors

Automobile Red Book  
(including the Older Used Car Publication)  
formerly Automobile Blue Book  
Primedia Price Digests  
P. O. Box 12901  
Overland Park, KS 66282-2901  
(800) 654-6776  
www.pricedigests.com

NADA Official Used Car Guide  
(including the Older Used Car Publication)  
8400 Westpark Drive  
McLean, VA 22102  
(800) 544-6232  
www.nada.com/b2b

Autobid, Inc.  
8900 Indian Creek Pkwy.  
Shawnee Mission, KS 66210  
(800) 875-2217  
www.autobid.com

CCC Information Services, Inc.  
444 Merchandise Mart  
Chicago, Illinois 60654-1005  
(800) 621-8070  
www.cccis.com

Audatex  
formerly ADP Claims Solution Group, Inc.  
6111 Bollinger Canyon Road, Suite 200  
San Ramon, CA 94583  
(925) 866-1100  
www.audatex.com

This document supersedes the notice published at 36 Pa.B. 5845 (September 16, 2006) and shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

(*Editor's Note:* For a final rulemaking affecting this notice, see 29 Pa.B. 5511 (October 23, 1999).)

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-2233. Filed for public inspection November 9, 2006, 9:00 a.m.]

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## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Delaware County, Wine & Spirits Shoppe #1518, 1502 W. Chester Pike, West Chester, PA 19382.

*Lease Expiration Date:* 90-day since 5/31/07

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,200 net useable square feet of new or existing retail commercial space along Route 3, West

Chester Pike within a 1/2-mile radius from the intersection of Routes 3 and 352 in Chester County.

*Proposals due:* December 1, 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. 06-2234. Filed for public inspection November 9, 2006, 9:00 a.m.]



# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by December 4, 2006. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

**A-00123240, F.2 Logisticare Solutions, LLC** (1640 Phoenix Boulevard, Suite 200, Atlanta, GA 30349), a limited liability company of the State of Delaware—contract carrier—persons who are Medicaid members residing in Philadelphia, for the Department of Public Welfare, between points in the City and County of Philadelphia. *Attorney:* Barbara A. Darkes, P. O. Box 1166, Harrisburg, PA 17108-1166.

### Application of the following for approval to *begin operating as a broker for transportation of persons as described under the application.*

**A-00123240 Logisticare Solutions, LLC** (1640 Phoenix Boulevard, Suite 200, Atlanta, GA 30349), a limited liability company of the State of Delaware—brokerage license—to arrange for the transportation of persons between points in Pennsylvania. *Attorney:* Barbara A. Darkes, P. O. Box 1166, Harrisburg, PA 17108-1166.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2235. Filed for public inspection November 9, 2006, 9:00 a.m.]

## Telecommunications

**A-311395F7025. Armstrong Telephone Company—North and Cingular Wireless, LLC.** Joint petition of Armstrong Telephone Company—North and Cingular Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Armstrong Telephone Company—North and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania

Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Armstrong Telephone Company—North and Cingular Wireless, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2236. Filed for public inspection November 9, 2006, 9:00 a.m.]

## Telecommunications

**A-311395F7026. Armstrong Telephone Company—Pennsylvania and Cingular Wireless, LLC.** Joint petition of Armstrong Telephone Company—Pennsylvania and Cingular Wireless, LLC for approval of an interconnection under section 252(e) of the Telecommunications Act of 1996.

Armstrong Telephone Company—Pennsylvania and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Armstrong Telephone Company—Pennsylvania and Cingular Wireless, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2237. Filed for public inspection November 9, 2006, 9:00 a.m.]

## Telecommunications

**A-311395F7028. Hickory Telephone Company and Cingular Wireless, LLC.** Joint petition of Hickory Telephone Company and Cingular Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Hickory Telephone Company and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Hickory Telephone Company and Cingular Wireless, LLC

joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2238. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7016. Ironton Telephone Company and Cingular Wireless, LLC.** Joint petition of Ironton Telephone Company and Cingular Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Ironton Telephone Company and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Ironton Telephone Company and Cingular Wireless, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2239. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7029. Lackawaxen Telecommunications Services and Cingular Wireless, LLC.** Joint petition of Lackawaxen Telecommunications Services and Cingular Wireless, LLC for approval of an interconnection under section 252(e) of the Telecommunications Act of 1996.

Lackawaxen Telecommunications Services and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Lackawaxen Telecommunications Services and Cingular Wireless, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2240. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7010. Laurel Highland Telephone Company and Cingular Wireless, LLC.** Joint petition of Laurel Highland Telephone Company and Cingular Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Laurel Highland Telephone Company and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Laurel Highland Telephone Company and Cingular Wireless joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2241. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7013. The North-Eastern Pennsylvania Telephone Company and Cingular Wireless, LLC.** Joint petition of The North-Eastern Pennsylvania Telephone Company and Cingular Wireless, LLC for approval of an interconnection under section 252(e) of the Telecommunications Act of 1996.

The North-Eastern Pennsylvania Telephone Company and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The North-Eastern Pennsylvania Telephone Company and Cingular Wireless, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2242. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7030. North Penn Telephone Company and Cingular Wireless, LLC.** Joint petition of North Penn Telephone Company and Cingular Wireless, LLC for approval of an interconnection under section 252(e) of the Telecommunications Act of 1996.

North Penn Telephone Company and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the North Penn Telephone Company and Cingular Wireless, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2243. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7011. Palmerton Telephone Company and Cingular Wireless, LLC.** Joint petition of Palmerton Telephone Company and Cingular Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Palmerton Telephone Company and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Palmerton Telephone Company and Cingular Wireless, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2244. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7032. Pymatuning Independent Telephone Company and Cingular Wireless, LLC.** Joint petition of Pymatuning Independent Telephone Company and Cingular Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Pymatuning Independent Telephone Company and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Pymatuning Independent Telephone Company and Cingular Wireless, LLC, joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2245. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7033. The South Canaan Telephone Company and Cingular Wireless, LLC.** Joint petition of The South Canaan Telephone Company and Cingular Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The South Canaan Telephone Company and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The South Canaan Telephone Company and Cingular Wireless, LLC, joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2246. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7034. Venus Telephone Corporation and Cingular Wireless, LLC.** Joint petition of Venus Telephone Corporation and Cingular Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Venus Telephone Corporation and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Venus Telephone Corporation and Cingular Wireless, LLC, joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2247. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Telecommunications

**A-311395F7036. Yukon-Waltz Telephone Company and Cingular Wireless, LLC.** Joint petition of Yukon-Waltz Telephone Company and Cingular Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Yukon-Waltz Telephone Company and Cingular Wireless, LLC, by its counsel, filed on October 23, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Yukon-Waltz Telephone Company and Cingular Wireless, LLC, joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2248. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### 2007 Schedule of Filing Dates for Recovery of Purchased Gas Costs; Doc. No. L-840102

Under 52 Pa. Code § 53.64(a) (relating to filing requirements for natural gas distributors with gross intrastate annual operating revenues in excess of \$40 million) the Pennsylvania Public Utility Commission (Commission) annually publishes a schedule of filing dates for jurisdictional gas utilities subject to the procedure of 66 Pa.C.S. § 1307(f) (relating to sliding scale of rates; adjustments) for the recovery of purchased gas costs.

The 2007 schedule of filing dates is as follows:

February 1, 2007: National Fuel Gas Distribution Corporation—PA Division; T. W. Phillips Gas and Oil Company

March 1, 2007: Philadelphia Gas Works

April 1, 2007: Columbia Gas of Pennsylvania, Inc.; Peoples Natural Gas Company; Equitable Gas Company

June 1, 2007: P. G. Energy, Inc.; PECO—Gas Division; UGI Corporation; PFG Gas, Inc.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2249. Filed for public inspection November 9, 2006, 9:00 a.m.]

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### Water Service

**A-210104F0078. Aqua Pennsylvania, Inc.** Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in a portion of Pocopson Township, Chester County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 20, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Aqua Pennsylvania, Inc.

*Through and By Counsel:* Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong and Niesen, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108-9500

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2250. Filed for public inspection November 9, 2006, 9:00 a.m.]

## STATE BOARD OF BARBER EXAMINERS

### Bureau of Professional and Occupational Affairs v. Dwayne Jones; Doc. No. 1687-42-2006

On October 13, 2006, Dwayne Jones, of Allentown, Lehigh County, license No. BL-050560-L, has been suspended for nonpayment of civil penalty of \$750 imposed by the Board.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Barber Examiners (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 the appeals is the previously named Board Counsel.

VINCENT IACONO,  
*Chairperson*

[Pa.B. Doc. No. 06-2251. Filed for public inspection November 9, 2006, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Theresa M. McAnulla; Doc. No. 0404-45-2006

On September 20, 2006, Theresa M. McAnulla, of Trevese, Buck County, was assessed a civil penalty of \$500, based on her practicing cosmetology on an expired license.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, 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 the appeals is the previously named Board counsel.

SUSAN E. RINEER,  
*Chairperson*

[Pa.B. Doc. No. 06-2252. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Melissa Molino; Doc. No. 0232-45-2006

On, October 16, 2006, Melissa Molino, of Blakeslee, Monroe County, PA was assessed a civil penalty of \$450 based on her practicing cosmetology on a lapsed license.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, 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. Persons who appeal to the Commonwealth Court, must serve the Board with a copy of your petition for review. The Board contact for receiving service of the appeals is the previously named Board counsel.

SUSAN E. RINEER,  
*Chairperson*

[Pa.B. Doc. No. 06-2253. Filed for public inspection November 9, 2006, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Victor E. Young t/d/b/a Vixx Styling Salon; Doc. No. 1470-45-2006

On September 6, 2006, Vixx Styling Salon, of Philadelphia, Philadelphia County, license number CB104463L was suspended for failure to pay \$1,750 civil penalty imposed by the Board.

Persons may obtain a copy of the adjudication by writing to C. William Fritz, II, 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 the appeals is the previously named Board counsel.

SUSAN E. RINEER,  
*Chairperson*

[Pa.B. Doc. No. 06-2254. Filed for public inspection November 9, 2006, 9:00 a.m.]

# STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

**Bureau of Professional and Occupational Affairs v.  
Robert Luptak, Jr.; Doc. No.1544-60-06**

On September 19, 2006, Robert Luptak, Jr., license no. MV136586L, of New Castle, Lawrence County, was suspended under the order of the Court of Common Pleas of Lawrence County dated September 11, 2006, which the Court issued under section 4355 of the Domestic Relations Code. The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Herbert Abramson, Senior Counsel in Charge, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Vehicle Manufacturers, Dealers and Salespersons (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.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-2255. Filed for public inspection November 9, 2006, 9:00 a.m.]

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**Bureau of Professional and Occupational Affairs v.  
Super George, Inc. d/b/a Waskos Autoland of  
Brookville; Doc. No. 0626-60-2006**

On September 27, 2006, Super George, Inc. d/b/a Waskos Autoland of Brookville, of Cambridge Springs, Crawford County, license No. VD-021680-A, was suspended for conviction of misdemeanor offenses and felony offenses involving moral turpitude.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Vehicle Manufacturers, Dealers and Salespersons (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 the appeals is the above named Board counsel.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-2256. Filed for public inspection November 9, 2006, 9:00 a.m.]

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# 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

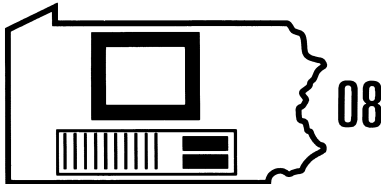
## DO BUSINESS WITH STATE AGENCIES

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](http://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



### Computer Related Services

**CN0023520** Provide retail store solutions support line premium (SLP) for the following products/license count: IBM 4690 General Sales Application (GSA)/675 IBM Electronic Journal Version 1/VERSION 2/675

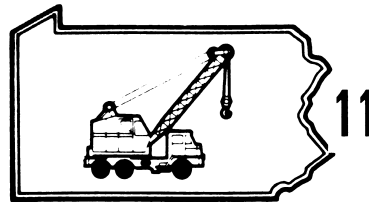
**Department:** Liquor Control Board  
**Location:** Statewide  
**Duration:** 12 months  
**Contact:** TAMMY MCQUAID, 717-787-6360

**RFP-30VIRTUAL MAP** East Stroudsburg has the need for a Flash Based Virtual Tour Campus Map. Contact via e-mail [azaffuto@po-box.esu.edu](mailto:azaffuto@po-box.esu.edu) for an RFP Package. Closing date is January 16, 2007. MBE/WBE firms are invited to participate.

**Department:** State System of Higher Education  
**Location:** East Stroudsburg University  
**Duration:** 1 year with possibility of renewals  
**Contact:** Anne Zaffuto, 570-422-3595

**RFP PURSWEBMGMT** East Stroudsburg University has a need for Content Management System for personnel web management system. Closing Date January 16, 2007. MBE/WBE firms are invited to participate. Contact via e-mail [azaffuto@po-box.esu.edu](mailto:azaffuto@po-box.esu.edu) for RFP package.

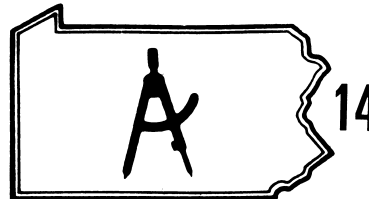
**Department:** State System of Higher Education  
**Location:** East Stroudsburg University  
**Duration:** One year with possible option renewals.  
**Contact:** Ann Zaffuto, 570-422-3595



### Demolition—Structural Only

**067438** Demolition and removal of structure on one parcel. Bidders must be PennDOT prequalified as Prime Contractor for Code "B" Building Demolition.

**Department:** Transportation  
**Location:** Germantown Pk. and Dekalb Pk., East Norriton, PA  
**Duration:** OPEN  
**Contact:** Linda Bunt, 610-205-6784

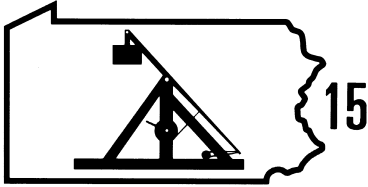


### Engineering Services

**RFP PASSHE-INSUR-2006-1a** Updated: The Pennsylvania State System of Higher Education, Office of the Chancellor, is seeking to contract with a professional services firm to (1) review the System's Standard Form of Agreements for Professional A/E Services with respect to (a) Professional Liability Insurance Requirements, (b) clauses that affect a Professional's acquisition of Professional Liability Insurance, and (c) overall Risk Management, and (2) to suggest appropriate language, whether for Insurance Requirements or clauses that affect Insurance Requirements and Insurability, to be included in the System's contracts for Professional A/E Services. This one time request for services is from the Construction Support Office, Office of the Chancellor. All work will be administered through that office. The Contracts to be reviewed are those used by the System's 14 state-owned universities: Bloomsburg, California, Cheyney, Clarion, East Stroudsburg, Edinboro, Indiana, Kutztown, Lock Haven, Mansfield, Millersville, Shippensburg, Slippery Rock, and West Chester Universities of Pennsylvania. The Request for Proposal (RFP) is available at [www.passhe.edu](http://www.passhe.edu). Interested and qualified firms can obtain the RFP, preferably from the web site, or from Dorethe Latin by fax 717-720-4111 or by e-mail to [latin@passhe.edu](mailto:latin@passhe.edu). Responses to the RFP are due by 4:00 p.m., Friday, December 1, 2006.

**Department:** State System of Higher Education  
**Location:** Office of the Chancellor, Construction Support Office  
**Duration:** 2 years  
**Contact:** Dorethe Latin or Jim Barbush, 717-720-4113





### Environmental Maintenance Service

**PBF 56901302.1** Bond Forfeiture Reclamation Project, Pelesmitco, Inc., Mining Permit No. 56901302. The principal items of work and approximate quantities include Grading, Treatment Pond Removal, 1,000 tons of Alkaline Addition, Refuse Restoration and Placement, Borehole Sealing, Seeding and Demolition, Removal and Disposal of Mine Facilities, Equipment, Junk and Debris. This project issues on November 9, 2006 and bids will be opened December 7, 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. Although attendance at the pre-bid is not mandatory, it is strongly recommended.

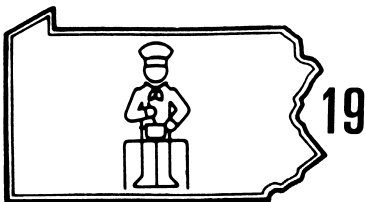
**Department:** Environmental Protection  
**Location:** Jenner Township, Somerset County  
**Duration:** 360 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820



### Financial and Insurance Consulting

**25-861-5019** The Tobacco Settlement Investment Board (TSIB) is seeking a general investment consultant to provide consulting services to the TSIB on strategy, allocation and management of the funds under the authority of the TSIB. The consulting services will encompass all moneys managed by the TSIB, which includes the Tobacco Settlement Fund, the Health Endowment Account for Long-Term Hope, the Health Venture Fund, and the Community Health Reinvestment Agreement money. Deadline for proposal submissions is 5:00 pm on December 8, 2006.

**Department:** Community and Economic Development  
**Location:** Harrisburg  
**Duration:** 5 years  
**Contact:** Irina khachaturova, 717-720-1435



### Food

**CN00023515** The State Corr. Inst. at Rockview, Bellefonte, Centre County, is soliciting bids for Milk Products, i.e. 2% and Skim in 1/2 pints and 5 gallon dispenser bags. Bid requests will be issued on a monthly basis. Pricing will be consistent with the PA Milk Marketing Board Wholesale Pricelist for Area 6. Vendors must be registered with the Commonwealth of PA and have a SAP vendor number in order to receive bid packages. Bid packages can be requested via phone (814-355-4874, ext. 206), fax (814-355-6026) or e-mail (dibaney@state.pa.us).

**Department:** Corrections  
**Location:** State Correctional Inst. at Rockview, Box A, Rt. 26, Bellefonte, PA 16823  
**Duration:** 10-30-06 through 12-31-06.  
**Contact:** Diane Baney, PA 2, 814-355-4874., ext. 206

**CN00023388** Drinks, 8 oz., 48/cs; tea, decaf w/lemon; reduced carb orange and fruit punch drink, 8 oz., 48/cs.; for deliveries January through June, 2007. For copy of request for bid, contact the purchasing office at Wernersville State Hospital by email...mhein@state.pa.us. Prospective vendors must register with the Integrated Enterprise System (IES) at <http://www.vendorregistration.state.pa.us/>. DPW utilizes the information contained in the vendor master file for its procurement activities. Registered vendors who need to update or change the existing information in this file must contact IES and provide the changes or updates to IES. It is the vendor's responsibility to contact IES for changes, as DPW is unable to change vendor information. If you fail to update or change information, you may not receive requested bid information.

**Department:** Public Welfare  
**Location:** Wernersville State Hospital, Rt. 422 W. and Sportsman Road, Wernersville, PA 19565  
**Duration:** January through June, 2007  
**Contact:** Mary Hein, none listed

**CN00023488** Class 1 dairy products as defined by the Milk Marketing Board. Specifications and quantities shall be contained upon quote document. Contract period: 12/01/2006 to 12/31/2006. Quote opening date is 11/21/2006 at 2:00 PM.

**Department:** Corrections  
**Location:** State Regional Correctional Facility, 801 Butler Pike, Rte. 258 South, Mercer, PA 16137  
**Duration:** 12/01/2006 to 12/31/2006  
**Contact:** John Pitonyak, 724/662-1837 ext. 1009

**CN00023506** The State Corr. Inst. at Rockview, Bellefonte, Centre County, is soliciting for Breads, Fresh Baked: To include, but not limited to, Loaves - White & Wheat; Rolls/Buns - Hoagie, Steak, Hamburger & Hotdog. Bid requests will be done on a monthly basis. Vendor must be a registered vendor with the Commonwealth of PA and have an SAP vendor number to receive bids solicitations. Bid packages requested via phone 814-355-4874, ext. 206; fax 814-355-6026; or e-mail to dibaney@state.pa.us.

**Department:** Corrections  
**Location:** State Correctional Institution at Rockview, Box A, Rt. 26, Bellefonte, PA 16823  
**Duration:** 10-30-06 through 12-31-06  
**Contact:** Diane Baney, PA 2, 814-355-4874, ext. 206

**CN00023526** Frozen cubed beef steak (5,000 Lbs.) and diced poultry (8,000 Lbs.) to be supplied to SCI Greene in Waynesburg, PA - Complete specifications may be obtained by contacting facility.

**Department:** Corrections  
**Location:** SCI Greene, 169 Progress Dr., Waynesburg, PA 15370  
**Duration:** Bid Opening: 11/14/06 at 2:00 PM  
**Contact:** Laura Mohr, Purchasing Agent, 724/852-5534

**HUNT-MILK-DEC06** Milk Products; Milk 2 percent bulk and 1/2 pint containers, Skim Milk. Milk must be bid according to the Milk Marketing Board, there must be 10 days left on the sell-by-date on all milk products. BID DUE DATE: 11/21/2006. BID DUE TIME: 1:00 pm.

**Department:** Corrections  
**Duration:** October 25th through November 10th, 2006 @ 1:00 pm.  
**Contact:** Phyllis K. Norris, PA, 814-643-2400, x303

**CN00023478** The State Correctional Institution at Somerset will be soliciting bids for Beef and Pork Products. Interested vendors must be registered with the Commonwealth of PA to receive bids and purchase orders and should contact the institution directly for a bid package. Bid due date 11/17/06 @ 1 PM.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** 10/25/06 through 11/17/06  
**Contact:** Theresa Solarczyk, Purchasing Agent II, 814 445-6501 x1232

**CN00023494** The State Correctional Institution at Somerset will be soliciting bids for Poultry and Poultry Products. Interested vendors must be registered with the Commonwealth of PA to receive bids and purchase orders and should contact the institution directly for a bid package.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** 10/26/06 through 11/20/06  
**Contact:** Theresa Solarczyk, Purchasing Agent II, 814 445-6501 x1232

**HUNT-PROD-NOV06** FRESH FRUIT; Apples, bananas, blueberries, cantaloupes, grapefruit, nectarines, oranges, peaches, pears, plums, strawberries, tangerines, watermelon, etc., FRESH VEGETABLES; Broccoli, cabbage, carrots, cauliflower, celery, corn, cucumbers, lettuce, onions, peppers, potatoes, radishes, squash, tomatoes, etc., BID DUE DATE: 11/09/2006. BID DUE TIME: 1:00 pm.

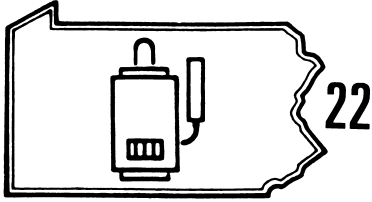
**Department:** Corrections  
**Location:** SCI-Huntingdon  
**Duration:** October 25th through November 08th, 2006.  
**Contact:** Phyllis Norris, PA, 814-643-2400, x303

**CN00023516** Bread and Bread Products

**Department:** Public Welfare  
**Location:** POLK CENTER, 25 Lakewood Circle, P. O. Box 94, Polk PA 16342  
**Duration:** January 1, 2007 through June 30, 2007  
**Contact:** Marty DuPont, 814-432-0229

**1146 - Frozen vegetables** Assorted frozen vegetables to include diced carrots, baby lima beans, whole kernel corn, sweet green peas, broccoli florets, cauliflower, green beans, mixed vegetables, Brussels sprouts, and other related items. Institution will determine quantities and delivery dates.

**Department:** Corrections  
**Location:** State Correctional Institution, 1000 Follies Road, Dallas, PA. 18612  
**Duration:** October 2006 through June 2007  
**Contact:** Patti Cyphers, 570-674-2722



### HVAC Services

**CN00023473** Electrical maintenance and repair - emergency and routine for Cumberland County Penndot at 540 West North Street and 7 stockpiles in county. All bidders must attend a prebid meeting Wednesday November 8, 2006 at 1:00 p.m. at 540 West North Street, Carlisle. Bid opening is Monday November 13, 2006 at 1:00 p.m. at 540 West North Street Carlisle. Contact person for quote is Cathy Grafmyer at 243-5414 Ext 322 or Barry Strook at 243-5414 Ext 303.

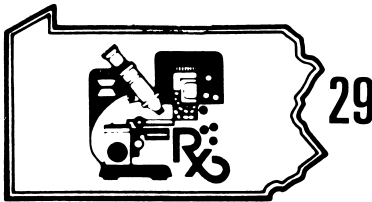
**Department:** Transportation  
**Location:** 540 West North Street and 7 stockpiles in Cumberland County.  
**Duration:** 1 year with option for 4 (four) 1 (one) year renewals.  
**Contact:** Cathy Grafmyer, 717-243-5414 Ext 322

**CN00023512** Building Maintenance and Repair Service Contract for the Quehanna Training Center, 4676 Quehanna Highway, Karthaus PA 16845.

**Department:** Transportation  
**Location:** PA Department of Transportation, Quehanna Training Center, 4676 Quehanna Highway, Karthaus PA 16845  
**Duration:** This contract will be a three (3) year service contract.  
**Contact:** Sherri Linen, 717-787-3959

**CN00023511** Building Maintenance and Repair Service Contract for the Western PA Training Academy, 38 Academy Lane, Cheswick PA 15024.

**Department:** Transportation  
**Location:** PA Department of Transportation, Western PA Training Academy, 38 Academy Lane, Cheswick PA 15024  
**Duration:** This contract will be a three (3) year service contract.  
**Contact:** Sherri Linen, 717-787-3959



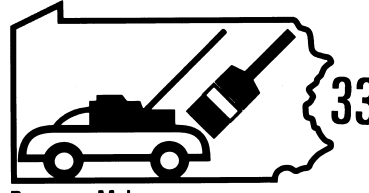
### Medical Services

**CN00023468** Contractor needed to provide Health Screenings to and provide certification for employees who perform a variety of job duties.

**Department:** Environmental Protection  
**Location:** Screening facility to be located in one of the following counties: Butler, Crawford, Erie, Lawrence, Mercer, or Venango.  
**Duration:** Contract to commence upon execution and terminate June 30, 2007 with a renewal clause allowing up to 4, 1 year extensions.  
**Contact:** Doug Higby, 814-332-6623

**CN00023525** Neurological Services - To provide neurological evaluations of individuals of Ebensburg Center as well as consultation with and training of staff regarding neurological disorders and related medical conditions. The majority of the neurological problems will consist of seizure control management. A minimum of two (2) four to six hour sessions required per month and phone consultations of approximately 15 minutes. For Further information: contact Medical Department at 814-472-0226.

**Department:** Public Welfare  
**Location:** Ebensburg Center, 4501 Admiral Peary Highway, Rt. 22 West; PO Box 600, Ebensburg, PA 15931  
**Duration:** January 01, 2007 through December 31, 2010  
**Contact:** Marilyn Cartwright, 814-472-0259



### Property Maintenance

**CN00023524** Snow removal services at PA National Guard Armory. For a copy of the bid package please fax your request to 717-861-2932 or e-mail to the address below. Bid opening will be Wednesday, November 15, 2006 at 2:00 PM.

**Department:** Military Affairs  
**Location:** Field Maintenance Shop #3, 1046 Belvoir Road, Plymouth Meeting PA 19462-2806  
**Duration:** Date of Award - 31 March 2009  
**Contact:** Brenda Lower, 717-861-2118

**CN00023507** Complete Maintenance and emergency repair to all heating, ventilation and air conditioning systems (HVAC) at both Welcome Centers located within Engineering District 1200. All work to be performed in accordance with contract bid specifications. Vendors requesting bid document, include your MY SAP vendor number with all requests. Bid Due Date: November 28, 2006. Bid Due Time: 11:00 AM. Deletion Date: November 30, 2006

**Department:** Transportation  
**Location:** Washington County Welcome Center, Welcome center site "A," located in Washington County on Interstate 70 at approximately the five (5) mile post on the eastbound lanes. Greene County Welcome Center, Welcome center site "D," located in Greene County on Interstate 79 at approximately the six (6) mile post on the north-bound lanes  
**Duration:** One year with two/two year renewals  
**Contact:** Michael D Maurer, 724-439-7374

**CN00023471** Snow Plowing, Salt, and Cindering at Field Maintenance Shop. For a copy of the bid package please fax your requests to 717-861-2932, or email to the address below. Bid opening will be Wednesday, November 8, 2006 at 2:00 PM.

**Department:** Military Affairs  
**Location:** Carbondale FMS, 1 Clidco Drive, Carbondale, PA 18407  
**Duration:** DOA through 03/31/09  
**Contact:** Sharon Wessner, 717-861-8519

**CN00023503** Snow plowing at Berwick Armory. For a copy of the bid package please fax your request to 717-861-2932 or email to the address below. Bid opening will be Wednesday, November 8, 2006 at 2:00 PM. (REBID)

**Department:** Military Affairs  
**Location:** PA National Guard Armory, 201 Pine St., Berwick, PA 18603  
**Duration:** DOA through 03/31/09  
**Contact:** Sharon Wessner, 717-861-8519

**CN00023479** Provide snow removal at PA National Guard Armory. For a copy of the bid package, please fax your request to 717-861-2932 or e-mail to the address below. Bid opening will be Wednesday, November 8, 2006 at 2:00 PM.

**Department:** Military Affairs  
**Location:** PA National Guard Armory, 1046 Belvoir Road, Plymouth Meeting PA 19462-2806  
**Duration:** Date of Award through 31 March 2009  
**Contact:** Brenda Lower, 717-861-2118

**FM 9065** Furnish all labor, materials and equipment for snow removal services from sidewalks, driveways and parking areas at the PA State Police, Pittston 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: November 20, 2006/2:00 PM.

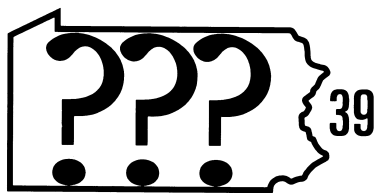
**Department:** State Police  
**Location:** Pittston CDC, 1400 Sauthers, Pittston, PA 18640, Phone 570-898-3200  
**Duration:** 11/27/06 to 06/30/09  
**Contact:** Sandy Wolfe, 717-705-5951

**CN00023489** Snow plowing at PA National Guard Armory in Hazleton. For a copy of the bid package please fax your request to 717-861-2932 or email to the address below. Bid opening will be Tuesday, November 14, 2006 at 2:00 PM (REBID).

**Department:** Military Affairs  
**Location:** Hazleton Armory, 515 Samuels Ave., Hazleton, PA 18201  
**Duration:** DOA through 03/31/09  
**Contact:** Sharon Wessner, 717-861-8519

**RFP WC864** Request for Proposal - WC864 - Athletic Field Maintenance. West Chester University is seeking technical expertise to assess the current turf condition of the athletic fields and advise on the differing proposed methods to achieve sustainable, cost efficient maintenance procedures to achieve quality athletic turf field surfaces and a contractor to provide year-round maintenance on cool-season turf grasses on approximately 8 athletic fields on our south campus, encompassing approximately 18 acres. A mandatory Pre-Proposal Conference will be held on November 16, 2006 at 10am in room 511, 201 Carter Drive, Suite 500, West Chester, PA 19383. The purpose of this Pre-Proposal Conference is to clarify any questions or issues concerning this Request for Proposal. All questions should be directed, in writing, to Barb Cooper, Contract Specialist, no later than close of business Monday, November 20, 2006. It is acceptable to send questions via US Mail, fax number 610-436-2720 or e-mail to bcooper2@wcupa.edu. Proposals must be submitted to the Issuing Office prior to 2:00 p.m. on December 4, 2006. To request a copy of the RFP package, send your request via fax to 610-436-2720 or e-mail to bcooper2@wcupa.edu. Your request shall include your full company name, address, phone, fax, contact person's name and e-mail. RFP packages can be picked up at 201 Carter Drive, Suite 200, Room 211, West Chester, PA 19383.

**Department:** State System of Higher Education  
**Location:** West Chester University, West Chester, PA 19383  
**Duration:** 365 days  
**Contact:** Barb Cooper, 610-436-2706



### Miscellaneous

**ITQ # 355101** The Pennsylvania Department of Transportation (PennDOT) is continuing to solicit contractors to submit applications for Invitation to Qualify (ITQ)355101 "Transportation Research, Education, and Technology Transfer" to provide PennDOT with a set of pre-qualified individuals and organizations capable of completing projects in transportation research, education, and technology transfer. Interested contractors may request a copy of this ITQ, which includes a list of category descriptions, by faxing or e-mailing their name, organization/company name, address, telephone number, fax number, and e-mail address to Ms. Roberta Cooper at 717-787-7185 (fax) or robcooper@state.pa.us (e-mail). Please reference ITQ # 355101 on your request.

**Department:** Transportation  
**Location:** Throughout the Commonwealth of Pennsylvania  
**Duration:** Contract 355101 end date is July 17, 2011, with a possibility of renewal. Applications will be accepted until July 1, 2010.  
**Contact:** Darlene Sellers, 717-787-9677

**cn00023518** The purpose of this contract is to increase the serviceability and reliability of the intelligent transportation system (I.T.S).

**Department:** Transportation  
**Location:** Various locations along I-80  
**Duration:** This will be a one year contract with one separate optional one year renewal.  
**Contact:** Russell Hearn, 814-355-4731

**RFP No. 106-R-1939070312** The Department of State, Bureau of Professional and Occupational Affairs seeks the services of a qualified and approved professional testing organization to administer and score theory examinations via a computerized (electronic) testing system for applicants for certification by the Pennsylvania State Board of Certified Real Estate Appraisers

**Department:** State  
**Location:** Bureau of Finance and Operations, Room 308 North Office Building, Harrisburg, PA 17120  
**Duration:** Five years  
**Contact:** Monna Accurti, (717) 214-4927

**1103-164-033** Correctional Industries Commissary Division located at SCI-Houtzdale, Mahanoy, and Rockview is seeking bids for a vendor to recycle baled corrugated cardboard. Baled corrugated cardboard - includes clean sorted printed and unprinted corrugated cardboard cartons, boxes or sheet, Kraft or jute liner content. May contain staples or ply tape. Free of asphalt tapes and asphalt lined materials. Does not include more than 5% fiber re-enforced tapes. There are 2 bid options: The vendor will pick up the baled corrugated cardboard from three (3) sites or except delivery to the vendors facility. To request a copy of the bid packet, please contact Sonya Schurtz, Purchasing Agent via email: ssschurtz@state.pa.us, fax: (717) 731-7008, phone: (717) 731-7134 x3018. Proposals must be received no later than December 5, 2006 @ 1:30 PM.

**Department:** Corrections  
**Location:** SCI-Houtzdale, 209 Institution Drive, Houtzdale, PA 16698; SCI-MAHANAY, 301 Morea Road, Frackville, PA 17932; and SCI-Rockview, Route 26, Rockview, PA 16823  
**Duration:** Two year contract with option to renew  
**Contact:** Sonya Schurtz, 717-731-7134 x3018

**06-0006** Thaddeus Stevens College of Technology will be issuing an RFP for a Feasibility Study Report to include the following: an analysis of the potential for capital fund raising (including 45-50 potential donor interviews); an assessment of internal readiness to undertake a campaign; an assessment of external constituency readiness to support the effort; recommendations for further strengthening the case for support; a revised table of gifts; a proposed campaign organization; a recommended overall dollar goal; and a suggested campaign budget and campaign timetable.

**Department:** State  
**Location:** 750 E. King St., Lancaster, PA 17602  
**Contact:** Nancy Froeschle, 717 299-7787

**RFA 5R-12** The Department of Transportation (PennDOT) is issuing an open enrollment Request for Applications (RFA) to solicit contractors who are interested in providing Electronic Lien and Title (ELT) Services. The ELT System is PennDOT's electronic vehicle titling system that allows successful contractors to electronically exchange information with PennDOT's Commonwealth Automated Registration and Title System (CARATS). PennDOT is expanding its ELT services that allow for the electronic transmission of vehicle lien data which has been added, changed, or modified to authorized users (Participating Companies). Contractors will be selected based upon the criteria as listed in Parts II and III of the RFA. Award will be made to contractors who submit applications that are received by PennDOT and meet all of the listed requirements. Check back often to this website since updates, changes, and other information pertinent to this RFA will be posted at this location as they occur. E-mail questions to Beverly Ward at beward@state.pa.us no later than 10:00 AM on November 14, 2006.

**Department:** Transportation  
**Duration:** This is an open enrollment RFA. Contracts will be issued for a period of 3 years, renewable by mutual consent of the parties for additional 3-year terms.  
**Contact:** Beverly Ward, 717-783-8868

[Pa.B. Doc. No. 06-2257. Filed for public inspection November 3, 2006, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> 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*

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART II. ORPHANS' COURT RULES

#### [231 PA. CODE PART II]

#### Proposed Amendment of Pa.O.C.R. 6.1 and Revised Model Accounts; Recommendation No. 3 of 2006

The Supreme Court of Pennsylvania Orphans' Court Procedural Rules Committee is publishing for comment a proposed amendment to Pa.O.C. Rule 6.1 and revised Model Accounts which may be viewed at: [www.courts.state.pa.us/index/supctcmtes/orphctrules/indexorphctrules.asp](http://www.courts.state.pa.us/index/supctcmtes/orphctrules/indexorphctrules.asp).

Rule 6.1(a) has been expanded to include distributions as a category for completeness. Rule 6.1(b) has been restated to clarify the need for separate schedules within the account as illustrated in the Model Accounts. Consistent with the objective to standardize practice statewide, present Rule 6.1(e) permitting local rules regarding forms of account is stricken and the Rule is revised to require use of forms of Account consistent with the model forms except upon special order of Court.

If approved, the following Model Accounts would appear in an Appendix to the Rules:

- (1) Revised Model Estate Account;
- (2) Revised Model Trust Account; and
- (3) New Model Charitable Remainder Unitrust Account.

The Model Estate Account and Model Trust Account currently approved under Pa.O.C. Rule 6.1(g) have been modified to correct certain mathematical and formatting errors and reflect other changes unique to practice in Pennsylvania while remaining consistent with the model accounts recommended for use by the Committee on National Fiduciary Standards. The Model Charitable Remainder Unitrust Account is new and incorporates additional schedules which permit the Orphans' Court and the parties to whom the unitrust account is furnished to verify that unitrust payments have been accurately computed and distributed. The Committee proposes to replace the present Model Estate and Trust Accounts and to add the Model Charitable Remainder Unitrust Account in the format attached to this Recommendation and to include such models in a single appendix to the Pennsylvania Orphans' Court Procedural Rules as described more fully below.

These proposed Orphans' Court Model Accounts are part of an ongoing forms project intended to promote uniformity and to standardize the content of pleadings and forms in use across the state. The Uniform Fiduciary Accounting Principles and accompanying commentaries and illustrations recommended by the Committee on National Fiduciary Standards are retained and relocated to the appendix in which the Model Accounts will also be found following the Pa.O.C. Rules.

Proposed new material is bold. Deleted material is bold and bracketed.

The Committee welcomes input from attorneys, judges and court administrators concerning the proposed revisions

to Rule 6.1 and the proposed Model Accounts, and seeks suggestions as to additional forms which may be suitable for statewide use. All communications in reference to the proposed rule change and accounting forms should be sent, no later than December 15, 2006, to the following address:

Dean R. Phillips, Chief Counsel  
Orphans' Court Procedural Rules Committee  
5035 Ritter Road, Suite 700  
Mechanicsburg, PA 17055

Or via E-Mail to:  
[orphanrules@pacourts.us](mailto:orphanrules@pacourts.us)

*By the Orphans' Court  
Procedural Rules Committee*

MARY JANE BARRETT, Esq.,  
*Chair*

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART II. ORPHANS' COURT RULES

#### RULE 6: ACCOUNTS AND DISTRIBUTION

##### Rule 6.1. Form of Account.

Accounts shall conform to the following rules:

(a) The dates of all receipts **[ and ]**, disbursements **and distributions**, the sources of the receipts, and the persons to whom disbursements **and distributions** are made and the purpose thereof shall be stated except that where a number of payments have been received from the same source or disbursed **or distributed** to the same recipient for the same purpose over a period of time, such receipts **[ or ]**, disbursements **or distributions** need not be itemized but may be stated in total amounts only with dates of beginning and ending of the period covered.

(b) Except where otherwise provided by a special order of the local Court in a particular case, **[ items of administration, distribution, receipts, disbursements, principal, and income shall be separately itemized. ] principal and income shall be accounted for separately within the account. As illustrated in the Model Accounts set forth in the Appendix, every account shall contain:**

**(1) cover page;**

**(2) summary and index page;**

**(3) separate schedules, as needed, which set forth receipts, gains or losses on sales or other dispositions, disbursements, distributions, investments made and changes in holdings, and other schedules as appropriate; and**

**(4) signature and verification pages by the accountant(s); the verification of the personal representative's account shall contain a statement that the Grant of Letters and the first complete advertisement thereof occurred more than four months before the filing of the account unless the personal representative has been directed by the court to file an account prior to that time.**

(c) Assets held by the accountant on the date of filing the account shall be separately itemized.

(d) Testamentary assets shall be segregated from appointive assets.

(e) [ Each local Court may adopt further rules not inconsistent with the foregoing regulating the form of accounts.

(f) [ Except where otherwise provided by a special order of the local Court in a particular case, Accounts [ may ] shall be prepared and filed in substantial conformity with [ either (i) the rules prescribed or forms approved by the local Court or (ii) ] any form approved by the Supreme Court of this Commonwealth [ —whichever the accountant may elect ].

[ (g) ] (f) The Uniform Fiduciary Accounting Principles and accompanying commentaries and illustrations recommended by the Committee on National Fiduciary Accounting Standards in collaboration with the National Center for State Courts are approved as an elaboration of the requirements of this rule. Reference may be made to them for determination of the adequacy of a particular account. The model Account formats [ attached thereto ] set forth in the appendix to the Pa.O.C. Rules are the approved forms for purposes of paragraph

[ (f)(ii) ] (e) of this Rule in lieu of all forms heretofore approved.

*Committee Comment:* Subparagraph (a) of this Rule is expanded to include distributions as a category for completeness. Subparagraph (b) of this Rule is expanded to delineate the individual schedules required within an account and to require that each account be signed at the end and verified. Consistent with the objective to standardize statewide practice former subparagraph (e) of this Rule was stricken and present subparagraph (e) was modified to require use of forms of Account consistent with model forms except upon special order of Court. The National Fiduciary Accounting Standards Project (1983) Report of Fiduciary Accounting Standards Committee previously referenced in Pa.O.C. Rule 6.1 is now included in the appendix following the Pa.O.C. Rules. However, the Orphans' Court Procedural Rules Committee has corrected and modified the Project's Model Estate Account and Model Trust Account attached to that Report and added a Model Charitable Remainder Unitrust Account. All Model Accounts are also now included in the appendix following the Pa.O.C. Rules.

Model Estate Account

IN THE COURT OF COMMON PLEAS OF \_\_\_\_\_ COUNTY, PA.  
ORPHANS' COURT DIVISION  
FILE NO. 98765

FIRST AND FINAL ACCOUNT OF  
William C. Doe, Executor  
For  
ESTATE OF JOHN DOE, DECEASED

Social Security #: 123-45-6789  
Tax ID #: 23-98765432  
Date of Death: 11/14/03  
Date of Incapacity, if any: None  
Date of Executor's Appointment: 11/24/03  
Date of First Complete Advertisement: 11/27/03  
Accounting for the period: 11/24/03 to  
11/30/04

Purpose of Account: The Executor offers this Account  
to acquaint interested parties with the transactions  
that have occurred during the Administration.

It is important that the Account be carefully examined.  
Requests for additional information, questions or  
objections can be discussed with:

[Name of Counsel]  
[Address]  
[Address]  
[Phone Number]  
Supreme Court I.D. No. \_\_\_\_\_

SUMMARY OF ACCOUNT

	<u>PAGES</u>		
<u>PRINCIPAL</u>			
Receipts	3-4	\$	160,488.76
Net Gain on Sales or Disposition	5		<u>2,662.00</u>
		\$	163,150.76
Less Disbursements:			
Debts of Decedent	6	\$	485.82
Funeral Expenses	6		1,375.00
Administration Expenses	6		194.25
Family Exemption	6		3,500.00
Federal, State & Local Taxes	7		5,856.83
Fees and Commissions	7		<u>11,689.64</u>
			<u>-23,101.54</u>
Balance before Distributions		\$	140,049.22
Distributions to Beneficiaries	8		<u>-52,630.00</u>
Principal Balance on Hand	9	\$	87,419.22
For Information:			
Investments Made	10		
Changes in Holdings	11		
<u>INCOME</u>			
Receipts	12	\$	2,513.40
Less Disbursements	13		<u>-178.67</u>
Balance before Distributions		\$	2,334.73
Distributions to Beneficiaries	14		<u>-2,334.73</u>
Income Balance on Hand		\$	.00
COMBINED BALANCE ON HAND		\$	<u>87,419.22</u>
			=====
Verification	15		



PRINCIPAL RECEIPTS

Assets Listed in Inventory  
(Valued as of Date of Death)

Real Estate

Residence 86 Norwood Road Philadelphia, PA	\$ 50,000.00
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Common Stocks

50 Shs. Best Oil Co.	5,000.00
1,000 Shs. Central Trust Co.	50,850.00
151 Shs. Electric Data Corp.	1,887.50
200 Shs. Home Telephone & Telegraph Co.	25,000.00
200 Shs. XYZ Corporation	6,000.00

Personal Effects

Furniture - 1 antique chair	55.00
Furniture - 1 antique highboy	2,000.00
Furniture - 1 antique side table	60.00
Jewelry - 1 pearl necklace	515.00

Mutual Funds

50 Shs. Fabulous Mutual Fund	1,833.33
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\$ 143,200.83

Cash in possession of decedent	42.54
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FORWARD

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\$ 143,243.37

PRINCIPAL RECEIPTS (cont'd)

FORWARD	\$	143,243.37
First National Bank - checking account		516.93
Prudent Savings Fund Society - savings account		2,518.16
	\$	<u>146,278.46</u>

ADJUSTMENTS TO INVENTORYIncreased value of common stock upon  
audit of Federal Estate Tax Return

RECEIVED AS:		
200 Shs. XYZ Corporation	\$	6,000.00
SHOULD BE:		
200 Shs. XYZ Corporation	<u>10,000.00</u>	4,000.00

SUBSEQUENT RECEIPTS

02/22/04	Proceeds of Sale - Best Oil Co. rights to subscribe received 02/15/04	50.00
03/12/04	Fabulous Mutual Fund, capital gains dividend received in cash	32.50
05/11/04	Refund of overpayment of 2003 U.S. individual income tax	127.80
09/25/04	From Richard Rose, Ancillary Administrator, net proceeds on sale of oil and gas leases in Jefferson Parish, Louisiana	10,000.00
	TOTAL PRINCIPAL RECEIPTS	<u>\$ 160,488.76</u> =====

PRINCIPAL GAINS OR LOSSES ON SALES OR OTHER DISPOSITIONS

	<u>GAIN</u>	<u>LOSS</u>
02/07/04 100 Shs. Home Telephone & Telegraph Co. Net Proceeds 14,025.00 Acquisition Value <u>12,500.00</u> \$	1,525.00	
03/15/04 1,000 Shs. Central Trust Co. Net Proceeds 27,467.00 Acquisition Value <u>25,425.00</u>	2,042.00	
03/15/04 200 Shs. XYZ Corporation Net Proceeds 9,000.00 Acquisition Value <u>10,000.00</u>		\$ 1,000.00
05/21/04 35 Shs. Electric Data Corp. Net Proceeds 530.00 Acquisition Value <u>437.50</u>	92.50	
07/20/04 \$10,000 U.S. Treasury Bonds, 3% due 07/01/2007 Net Proceeds 10,000.00 Acquisition Value <u>9,997.50</u>	2.50	
TOTALS	\$ 3,662.00	\$ 1,000.00
	=====	=====
NET GAIN TRANSFERRED TO SUMMARY		\$ 2,662.00
		=====

DISBURSEMENTS OF PRINCIPALDEBTS OF DECEDENT

01/25/04	John T, Hill, M.D. Professional services	\$	250.00	
01/25/04	Thomas Pharmacy Prescriptions			23.82
02/01/04	Sanders Hardware Purchases per bill dated 12/15/03			56.00
04/12/04	PA Department of Revenue Balance Final Life Period Income Tax		<u>156.00</u>	\$ 485.82

FUNERAL EXPENSES

01/10/04	Smith Funeral Home Services	\$	1,200.00	
02/15/04	Jones Memorials Grave marker		<u>175.00</u>	1,375.00

ADMINISTRATION EXPENSES

11/14/03	Register of Wills Probate fees	\$	72.00	
02/22/04	Henry Smith Appraisal of jewelry and antiques			50.00
11/16/04	Arden, Miles & Solomon Disbursements	\$	56.00	
	Various miscellaneous affidavits, registered mail, toll telephone charges and other costs		<u>16.25</u>	<u>72.25</u> 194.25

FAMILY EXEMPTION

05/15/02	Janet Doe			3,500.00
	FORWARD			<u>\$ 5,555.07</u>

DISBURSEMENTS OF PRINCIPAL (cont'd)

	FORWARD		\$	5,555.07
<u>FEDERAL, STATE &amp; LOCAL TAXES</u>				
02/12/04	Register of Wills, Agent PA inheritance tax, payment on account	\$ 2,105.26		
	Less 5% discount	<u>-105.26</u>	\$	2,000.00
08/13/04	Register of Wills, Agent PA inheritance tax	\$ 2,501.33		
	Less payment on account 02/12/04	<u>-2,105.26</u>		396.07
08/13/04	Internal Revenue Service Federal estate tax			2,663.29
11/15/04	Internal Revenue Service U.S. fiduciary income tax for fiscal year ending 07/31/04 (allocable to capital gains)			283.84
11/23/04	Internal Revenue Service Deficiency in Federal Estate Tax Interest 08/14/04 to 11/24/04	\$ 505.24		
		<u>8.39</u>	<u>513.63</u>	5,856.83
<u>FEES AND COMMISSIONS</u>				
11/16/04	Albert Schryver, Esq. Fee as Guardian ad litem		\$	375.00
11/16/04	William C. Doe Executor's compensation			6,314.64
11/16/04	Arden, Miles & Solomon Attorney's fees			<u>5,000.00</u>
				<u>11,689.64</u>
	TOTAL DISBURSEMENTS OF PRINCIPAL		\$	<u>23,101.54</u> =====

DISTRIBUTIONS OF PRINCIPAL TO BENEFICIARIES

TO: Janet Doe, in satisfaction of gift  
under Article FIRST of Will

12/01/03	Jewelry - 1 pearl necklace	\$	515.00	
12/01/03	Furniture - 1 antique highboy		2,000.00	
12/01/03	Furniture - 1 antique side table		60.00	
12/01/03	Furniture - 1 antique chair		<u>55.00</u>	\$ 2,630.00

TO: Janet Doe, in satisfaction of gift  
under Article SECOND of Will

12/01/03	Residence 86 Norwood Road Philadelphia, PA			<u>50,000.00</u>
TOTAL DISTRIBUTIONS OF PRINCIPAL TO BENEFICIARIES			\$	52,630.00 =====

PRINCIPAL BALANCE ON HAND

	<u>VALUE AT</u> <u>11/30/2004</u>	<u>FIDUCIARY</u> <u>ACQUISITION</u> <u>VALUE</u>
<u>Bonds</u>		
\$40,000 U.S. Treasury Bills due 12/14/2004	\$ 39,300.00	\$ 39,300.00
<u>Common Stocks</u>		
50 Shs. Best Oil Co.	4,500.00	5,000.00
1,000 Shs. Central Trust Co.	32,168.76	25,425.00
116 Shs. Electric Data Corp.	1,684.00	1,450.00
200 Shs. Home Telephone & Telegraph Co.	16,000.00	12,500.00
<u>Mutual Funds</u>		
50 Shs. Fabulous Mutual Fund	4,016.17	1,833.33
	<u>\$ 97,668.93</u>	<u>\$ 85,508.33</u>
CASH (AUTOMATICALLY INVESTED)	1,910.89	1,910.89
	<u>-----</u>	<u>-----</u>
TOTAL PRINCIPAL BALANCE ON HAND	\$ 99,579.82	\$ 87,419.22
	=====	=====

PRINCIPAL INVESTMENTS MADE

02/01/04	\$10,000 U.S. Treasury Bonds, 3% due 07/01/2007	\$	9,997.50
09/14/04	\$40,000 U.S. Treasury Bills due 12/14/2004		<u>39,300.00</u>
	TOTAL PRINCIPAL INVESTMENTS MADE	\$	<u>49,297.50</u> =====



CHANGES IN PRINCIPAL HOLDINGS

		<u>Account</u>
		<u>Value</u>
<u>Central Trust Co.</u>		
	1,000 Shs. Inventoried at	\$ 50,850.00
01/15/04	1,000 Shs. additional received in 2-1 split - par reduced to \$2.50	
		<u>0.00</u>
	2,000 Shs.	\$ 50,850.00
03/15/04	<u>1,000 Shs.</u> Sold	<u>-25,425.00</u>
	1,000 Shs.	\$ 25,425.00
=====		
<u>Electric Data Corp.</u>		
	151 Shs. Inventoried at	\$ 1,887.50
05/21/04	<u>35 Shs.</u> Sold	<u>-437.50</u>
	116 Shs.	\$ 1,450.00
=====		
<u>Home Telephone &amp; Telegraph Co.</u>		
	200 Shs. Inventoried at	\$ 25,000.00
02/07/04	<u>100 Shs.</u> Sold	<u>-12,500.00</u>
	100 Shs.	\$ 12,500.00
03/30/04	100 Shs. additional received in 2-1 split - par reduced to \$5	
		<u>0.00</u>
	200 Shs.	\$ 12,500.00
=====		

RECEIPTS OF INCOMEBest Oil Co.

Dividend 50 Shs. 01/02/04 to 10/02/04	\$	20.00
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Central Trust Co.

01/15/04 - Dividend 2,000 Shs.	\$	600.00
Dividend 1,000 Shs. 04/13/04 to 10/15/04		900.00
		1,500.00

Electric Data Corp.

Dividend 151 Shs. 12/29/03 to 03/30/04	\$	30.20
Dividend 116 Shs. 06/29/04 to 09/28/04		23.20
		53.40

Fabulous Mutual Fund

Dividend 50 Shs. 03/14/04 to 09/12/04		140.00
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Home Telephone & Telegraph Co.

02/01/04 - Dividend 200 Shs.	\$	225.00
Dividend 200 Shs. 05/01/04 to 11/01/04 (after stock split)		450.00
		675.00

U.S. Treasury Bonds, 3% due 07/01/2007

06/29/04 - Interest \$10,000	\$	150.00
Less: accrued interest paid on purchase 02/1/04		-25.00
		125.00

TOTAL RECEIPTS OF INCOME	\$	2,513.40
		=====

DISBURSEMENTS OF INCOME

11/15/04 Internal Revenue Service U.S. fiduciary income tax for fiscal year ending 07/31/04 (allocable to income)	\$ 53.00
 To be paid: William C. Doe Executor's income commission 5% on \$2,513.40	    <u>125.67</u>
 TOTAL DISBURSEMENTS OF INCOME	  \$ 178.67 =====

DISTRIBUTIONS OF INCOME TO BENEFICIARIES

TO: Sharon Doe

11/16/04 Cash \$ 1,167.36

TO: William C. Doe, Trustee under  
Article FOURTH (A) for Walter Doe

11/16/04 Cash 1,167.37

TOTAL DISTRIBUTIONS OF INCOME TO BENEFICIARIES \$ 2,334.73  
=====

VERIFICATION

WILLIAM C. DOE, Executor of the Will of JOHN DOE, Deceased, hereby declares under oath that he has fully and faithfully discharged the duties of his office; that the foregoing First and Final Account is true and correct and fully discloses all significant transactions occurring during the accounting period; that all known claims against the Estate have been paid in full; that, to his knowledge, there are no claims outstanding against the Estate; that all taxes presently due from the Estate have been paid; and that the grant of Letters Testamentary and the first complete advertisement thereof occurred more than four months before the filing of the foregoing First and Final Account.

This statement is made subject to penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
WILLIAM C. DOE

Dated: \_\_\_\_\_

Model Trust Account

IN THE COURT OF COMMON PLEAS OF \_\_\_\_\_ COUNTY, PA.  
ORPHANS' COURT DIVISION  
NO. 12345 of 1990

FIRST AND FINAL ACCOUNT  
For the "Marital Trust" Established under the Will of  
John H. Doe, Deceased

Stated by UPSTANDING TRUST COMPANY, Surviving Trustee  
and  
Mary W. Doe (Deceased Trustee, Died December 30, 2002)  
presented on her behalf by UPSTANDING TRUST COMPANY,  
as Executor of her Will

Tax ID Number: 23-2222222  
John H. Doe, Died: 01/30/90  
Date of First Receipt of Funds: 02/11/92  
Accounting for the period: 02/11/92 to  
06/15/04

Purpose of Account: The Trustee offers this Account to  
acquaint interested parties with the transactions  
that have occurred during the Administration.

It is important that the Account be carefully examined.  
Requests for additional information, questions or  
objections can be discussed with:

[Name of Counsel]  
[Address]  
[Address]  
[Telephone Number]  
Supreme Court I.D. No. \_\_\_\_\_

SUMMARY OF ACCOUNT

	<u>PAGES</u>		
<u>PRINCIPAL</u>			
Receipts	3	\$	158,259.02
Net Gain on Sales or Disposition	4-5		<u>114,749.47</u>
		\$	273,008.49
Less Disbursements:			
General Disbursements	6-7	\$	3,782.36
Fees and Commissions	7		<u>4,300.00</u>
			-8,082.36
Balance before Distributions		\$	264,926.13
Distributions to Beneficiaries	8		<u>-10,703.79</u>
Principal Balance on Hand	9	\$	254,222.34
For Information:			
Investments Made	10		
Changes in Holdings	11-13		
<u>INCOME</u>			
Receipts	14	\$	7,755.20
Less Disbursements	15		<u>-72.40</u>
Balance before Distributions		\$	7,682.80
Distributions to Beneficiaries	16		<u>-1,400.19</u>
Income Balance on Hand	17	\$	6,282.61
COMBINED BALANCE ON HAND		\$	<u>260,504.95</u>
=====			
Verification	18		

PRINCIPAL RECEIPTSPrior Award:

Assets Awarded trustees by Adjudication dated  
January 30, 1992, of Smith, J., upon the  
First Account of the Executors and the  
Schedule of Distribution pursuant  
thereto:

Real Estate

Premises 789 Main Street, Media, PA	\$ 10,000.00
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Bonds

\$7,000 Bethlehem, PA General Bonds 1.75% due 04/01/1993	6,965.00
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\$20,000 Ohio Turnpike Commission Project One bonds, 3.25% due 06/01/2025	18,025.00
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Common Stocks

352 Shs. American Telephone & Telegraph Co.	54,340.00
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5 Shs. Southwest Rodeo Oil Co.	1.00
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703 Shs. XYZ & Co.	67,663.75
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	\$ 156,994.75
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Checking account, Upstanding Trust Co.	264.27
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	\$ 157,259.02
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SUBSEQUENT RECEIPTS

03/15/92 Adjustment of Sewer Assessment	1,000.00
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TOTAL PRINCIPAL RECEIPTS	\$ 158,259.02
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PRINCIPAL GAINS OR LOSSES ON SALES OR OTHER DISPOSITIONS

		<u>GAIN</u>	<u>LOSS</u>
07/02/92	103 Shs. XYZ & Co. Net Proceeds 25,614.54 Acquisition Value <u>9,913.75</u>	\$ 15,700.79	
04/06/93	100 Shs. XYZ & Co. Net Proceeds 22,226.25 Acquisition Value <u>9,625.00</u>	12,601.25	
07/11/93	5 Shs. Southwest Rodeo Oil Co. Company declared bankruptcy Net Proceeds 0.00 Acquisition Value <u>1.00</u>		\$ 1.00
03/22/94	1,056 Rts. American Telephone & Telegraph Co. Net Proceeds 1,484.41 Acquisition Value <u>1,484.41</u>		
03/12/96	1,056 Rts. American Telephone & Telegraph Co. Net Proceeds 2,507.00 Acquisition Value <u>2,507.00</u>		
12/29/99	\$20,000 Ohio Turnpike Commission Project One bonds, 3.25% due 06/01/2025 Net Proceeds 18,450.00 Acquisition Value <u>18,025.00</u>	425.00	
05/05/03	2,112 Rts. American Telephone & Telegraph Co. Net Proceeds 1,225.49 Acquisition Value <u>1,225.49</u>		
06/19/03	500 Shs. XYZ & Co. Net Proceeds 56,337.21 Acquisition Value <u>1.00</u>	56,336.21	
08/09/03	\$50,000 Commercial Credit Co., demand note Net Proceeds 50,000.00 Acquisition Value <u>50,000.00</u>		
	FORWARD	\$ 85,063.25	\$ 1.00

PRINCIPAL GAINS OR LOSSES ON SALES OR OTHER DISPOSITIONS (cont'd)

		<u>GAIN</u>	<u>LOSS</u>
	FORWARD	\$ 85,063.25	\$ 1.00
09/22/03	852 Shs. American Telephone & Telegraph Co. Net Proceeds 39,503.92 Acquisition Value <u>19,816.70</u>	19,687.22	
11/17/03	Premises 789 Main Street, Media, PA Sold receiving Purchase Money Mortgage \$15,000.00 Cash 5,000.00 Less: Settlement Costs 1,200.00 as itemized in Principal Disbursements Net Proceeds 20,000.00 Acquisition Value <u>10,000.00</u>	10,000.00	
11/17/03	\$70,000 U.S. Treasury Bills due 11/19/2003 Net Proceeds 68,000.00 Acquisition Value <u>68,000.00</u>		
06/15/04	Mortgage on 789 Main Street Media, PA Principal received on account Net Proceeds 250.00 Acquisition Value <u>250.00</u>		
	TOTALS	\$ 114,750.47	\$ 1.00
	NET GAIN TRANSFERRED TO SUMMARY		\$ 114,749.47

DISBURSEMENTS OF PRINCIPAL

GENERAL DISBURSEMENTS

Federal Fiduciary Income Tax

04/15/03 1st Qtr. Estimated	\$	300.00	
06/15/03 2nd Qtr. Estimated		300.00	
09/15/03 3rd Qtr. Estimated		300.00	
01/15/04 4th Qtr. Estimated		300.00	
04/15/04 Balance 2003		172.00	
04/15/04 1st Qtr. Estimated		290.00	
06/15/04 2nd Qtr. Estimated		<u>290.00</u>	\$ 1,952.00

Pennsylvania Fiduciary Income Tax

04/15/03 1st Qtr. Estimated	\$	100.00	
06/15/03 2nd Qtr. Estimated		100.00	
09/15/03 3rd Qtr. Estimated		100.00	
12/30/03 4th Qtr. Estimated		100.00	
04/15/04 1st Qtr. Estimated		90.00	
05/15/04 Refund 2003		-27.00	
06/15/04 2nd Qtr. Estimated		<u>90.00</u>	553.00

05/15/03 Fire Insurance, 789 Main Street,  
Media, PA 50.00

11/17/03 Expenses re Sale of  
Premises 789 Main Street  
Media, PA:  
Commission \$ 1,000.00  
Transfer Tax 200.00 1,200.00

FORWARD \$ 3,755.00

DISBURSEMENTS OF PRINCIPAL (cont'd)

FORWARD	\$	3,755.00
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GENERAL DISBURSEMENTS (cont'd)

06/15/04 Reimbursement to Smith, Jones and Brown,  
for Miscellaneous expenses, 02/11/87 to  
date:

Postage and insurance	\$	26.21	
Telephone		<u>1.15</u>	<u>27.36</u>
	\$		3,782.36

FEES AND COMMISSIONS

To be paid:

Smith, Jones and Brown  
Attorney's fees

	<u>4,300.00</u>
--	-----------------

TOTAL DISBURSEMENTS OF PRINCIPAL

\$	<u>8,082.36</u>
	=====

DISTRIBUTIONS OF PRINCIPAL TO BENEFICIARIES

To: Mary W. Doe

07/01/92	\$7,000 Bethlehem, PA General Bonds 1.75% due 04/01/1993	\$	6,965.00	
07/02/92	Cash		<u>238.79</u>	\$ 7,203.79

To: Goodworks Charity

05/04/04	Advance distribution, cash			<u>3,500.00</u>
TOTAL DISTRIBUTIONS OF PRINCIPAL TO BENEFICIARIES				\$ 10,703.79 =====

## THE COURTS

PRINCIPAL BALANCE ON HAND

	<u>VALUE AT 06/15/2004</u>	<u>FIDUCIARY ACQUISITION VALUE</u>
<u>Bonds</u>		
\$120,000 ABC Corp, demand note	\$ 120,000.00	\$ 120,000.00
\$20,000 Indiana Toll Rd. Comm. East/West Revenue Bonds, 3.5% due 12/01/2022	13,600.00	17,275.00
<u>Common Stocks</u>		
680 Shs. ABC Corp.	56,355.00	48,124.00
1,260 Shs. American Telephone & Telegraph Co.	57,015.00	29,306.40
<u>Mortgages</u>		
Mortgage on 789 Main Street Media, PA	14,750.00	14,750.00
	<u>\$ 261,720.00</u>	<u>\$ 229,455.40</u>
Checking Account, Upstanding Trust Co.	24,766.94	24,766.94
	<u>286,486.94</u>	<u>254,222.34</u>
TOTAL PRINCIPAL BALANCE ON HAND	<u>\$ 286,486.94</u>	<u>\$ 254,222.34</u>

PRINCIPAL INVESTMENTS MADE

12/28/99	\$20,000 Indiana Toll Rd. Comm. East/West Revenue Bonds, 3.5% due 12/01/2022	\$	17,275.00
06/29/03	\$50,000 Commercial Credit Co., demand note		50,000.00
08/18/03	\$70,000 U.S. Treasury Bills due 11/19/2003		68,000.00
09/28/03	\$120,000 ABC Corp, demand note		120,000.00
09/28/03	Mortgage on 789 Main Street Media, PA		<u>15,000.00</u>
	TOTAL PRINCIPAL INVESTMENTS MADE	\$	270,275.00 =====

CHANGES IN PRINCIPAL HOLDINGS

		Account <u>Value</u>
<u>American Telephone &amp; Telegraph Co.</u>		
	352 Shs. Awarded at	\$ 54,340.00
04/24/92	<u>704 Shs.</u> Rec'd in three for one split	<u>0.00</u>
	1,056 Shs.	\$ 54,340.00
03/22/94	1,056 Rts. to subscribe to additional stock sold	<u>-1,484.41</u>
	1,056 Shs.	\$ 52,855.59
03/12/96	1,056 Rts. to subscribe to additional stock sold	<u>-2,507.00</u>
	1,056 Shs.	\$ 50,348.59
06/22/96	<u>1,056 Shs.</u> Rec'd in two for one split	<u>0.00</u>
	2,112 Shs.	\$ 50,348.59
05/05/03	2,112 Rts. to subscribe to additional stock sold	<u>-1,225.49</u>
	2,112 Shs.	\$ 49,123.10
09/22/03	<u>852 Shs.</u> Sold	<u>-19,816.70</u>
	1,260 Shs.	\$ 29,306.40
=====		=====
<u>Premises 789 Main Street,</u>		
<u>Media, PA</u>		
	0 Uts. Awarded at	\$ 10,000.00
11/17/03	Sold receiving	<u>-10,000.00</u>
	Purchase Money Mortgage \$15,000.00	
	Cash 5,000.00	
	Less: Settlement Costs 1,200.00	
	0 Uts.	\$ 0.00
=====		=====



CHANGES IN PRINCIPAL HOLDINGS (cont'd)

		<u>Account</u>
		<u>Value</u>
<u>Mortgage on 789 Main Street</u>		
<u>Media, PA</u>		
09/28/03	Mortgage received on sale of said premises	\$ 15,000.00
06/15/04	\$250 principal received on account	-250.00
		\$ 14,750.00
=====		
<u>XYZ &amp; Co.</u>		
	703 Shs. Awarded at	\$ 67,663.75
07/02/92	<u>103 Shs.</u> Sold	-9,913.75
	600 Shs.	\$ 57,750.00
04/06/93	<u>100 Shs.</u> Sold	-9,625.00
	500 Shs.	\$ 48,125.00
07/09/95	0 Shs. 250 Shs. ABC Corp., received @ 47.6875 in one-half for one divestment distribution	-11,921.88
	500 Shs.	\$ 36,203.12
01/06/97	0 Shs. 180 Shs. ABC Corp received @ 79.00 in a 0.36 share of one divestment distribution	-14,220.00
	500 Shs.	\$ 21,983.12
01/04/98	0 Shs. 250 Shs. ABC Corp. received @ 96.0625 in a one-half for one investment distribution, normally \$24,015.62 of which the following was applied to account value	-21,982.12
	500 Shs.	\$ 1.00
06/19/03	<u>500 Shs.</u> Sold	-1.00
	0 Shs.	\$ 0.00
=====		

CHANGES IN PRINCIPAL HOLDINGS (cont'd)

		<u>Account</u>
		<u>Value</u>
<u>ABC Corp.</u>		
07/09/95	250 Shs. Rec'd in distribution on 500 Shs. XYZ & Co.	\$ 11,921.88
01/06/97	<u>180 Shs.</u> Rec'd in similar distribution	<u>14,220.00</u>
	430 Shs.	\$ 26,141.88
01/04/98	<u>250 Shs.</u> Rec'd in similar distribution	<u>21,982.12</u>
	680 Shs.	\$ 48,124.00
06/15/04	0 Shs. 34 Shs. Received as a 5% stock dividend, transferred to income	<u>0.00</u>
	680 Shs.	\$ 48,124.00
=====		=====

RECEIPTS OF INCOME

Waiver of Income Accounting

An Income Accounting having been waived for the period from 02/11/1992 to 12/30/2002 by Upstanding Trust Company, Executor of the Will of Mary C. Doe, Deceased and from 12/31/2002 to 02/28/2004 by Goodworks Charity, a limited Accounting of Income follows:

02/28/04 Balance per last statement rendered		\$	1,773.25
06/15/04 34 Shs. ABC Corp., 5% stock dividend @ \$79.00			2,686.00
<u>ABC Corp, demand note</u>			
03/15/04 Interest \$120,000	\$	520.00	
06/15/04 Interest \$120,000		<u>520.00</u>	1,040.00
<u>ABC Corp.</u>			
03/08/04 Dividend 680 Shs.	\$	578.00	
06/08/04 Dividend 680 Shs.		<u>578.00</u>	1,156.00
<u>American Telephone &amp; Telegraph Co.</u>			
03/01/04 Dividend 1,260 Shs.	\$	296.10	
06/01/04 Dividend 1,260 Shs.		<u>296.10</u>	592.20
<u>Indiana Toll Rd. Comm. East/West Revenue Bonds, 3.5% due 12/01/2022</u>			
06/01/04 Interest \$20,000			350.00
<u>Mortgage on 789 Main Street Media, PA</u>			
06/15/04 Interest			75.00
<u>Upstanding Trust Company Checking Account</u>			
03/31/04 Interest	\$	27.29	
04/30/04 Interest		27.04	
05/31/04 Interest		<u>28.42</u>	82.75
TOTAL RECEIPTS OF INCOME		\$	7,755.20
			=====

DISBURSEMENTS OF INCOME

06/15/04 Upstanding Trust Co. 5% commission on income collected 3/30/04 to 05/31/04	\$ 72.40
TOTAL DISBURSEMENTS OF INCOME	\$ 72.40 =====

DISTRIBUTIONS OF INCOME TO BENEFICIARIES

To: Upstanding Trust Company, Executor  
of the Will of Mary W. Doe, Deceased -  
Income on hand as of 12/30/2002

03/12/03 Cash \$ 650.19

To: Goodworks Charity

06/15/04 Cash 750.00

TOTAL DISTRIBUTIONS OF INCOME TO BENEFICIARIES \$ 1,400.19  
=====

INCOME BALANCE ON HAND

	<u>VALUE AT 06/15/2004</u>	<u>FIDUCIARY ACQUISITION VALUE</u>
<u>Common Stocks</u>		
34 Shs. ABC Corp.	\$ 2,987.75	\$ 2,686.00
	<u>\$ 2,987.75</u>	<u>\$ 2,686.00</u>
Checking Account, Upstanding Trust Co.	3,596.61	3,596.61
	<u>3,596.61</u>	<u>3,596.61</u>
TOTAL INCOME BALANCE ON HAND	<u>\$ 6,584.36</u>	<u>\$ 6,282.61</u>

UPSTANDING TRUST COMPANY

By \_\_\_\_\_  
 Walter Trust, Vice President  
 Surviving Trustee under the  
 Will of John H. Doe, Deceased

AND

UPSTANDING TRUST COMPANY

By \_\_\_\_\_  
 Walter Trust, Vice President  
 Executor of the Will of  
 Mary W. Doe, Deceased Trustee

VERIFICATION

WALTER TRUST, Vice President of Upstanding Trust Company, Surviving Trustee under the Will of JOHN H. DOE and Executor under the Will of Mary W. Doe, Deceased Trustee under the Will of John H. Doe, hereby declares under oath that said Trustees have fully and faithfully discharged the duties of their office; that the foregoing First and Final Account is true and correct and fully discloses all significant transactions occurring during the accounting period; that all known claims against the Trust have been paid in full; that, to his knowledge, there are no claims now outstanding against the Trust; and that all taxes presently due from the Trust have been paid.

This statement is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
WALTER TRUST

Dated: \_\_\_\_\_

Model Unitrust Account

IN THE COURT OF COMMON PLEAS OF \_\_\_\_\_ COUNTY, PA.  
ORPHANS' COURT DIVISION  
NO. 5678 OF 2006

FIRST ACCOUNT  
FOR THE TRUST ESTABLISHED UNDER DEED DATED JANUARY 1, 2001  
OF JOHN DOE AND JANE DOE, SETTLORS

STATED BY UPSTANDING TRUST COMPANY, TRUSTEE

Tax ID Number: 23-1111111  
Date of Deed: 01/01/01  
Date of First Receipt of Funds: 01/01/01  
Accounting for the period: 01/01/01 to  
12/31/05

Purpose of Account: The Trustee offers this Account to  
acquaint interested parties with the transactions that  
have occurred during the Administration.

It is important that the Account be carefully examined.  
Requests for additional information, questions or  
objections can be discussed with:

[Name of Counsel]  
[Address]  
[Address]  
[Telephone Number]  
Supreme Court I.D. No. \_\_\_\_\_



SUMMARY OF ACCOUNT

	<u>PAGES</u>	
<u>PRINCIPAL</u>		
Receipts	3	\$ 10,649,000.00
Net Gain on Sales or Disposition	4	<u>138,618.87</u>
		\$ 10,787,618.87
Less Disbursements:		
Administration - Misc. Exp.	5	\$ 267,313.00
Transfers to Income	5	<u>2,127,000.00</u>
Balance before Distributions		<u>-2,394,313.00</u>
Principal Balance on Hand	6	\$ 8,393,305.87
For Information:		
Investments Made	7	
Changes in Holdings	8-9	
<u>INCOME</u>		
Receipts	10-16	\$ 2,717,875.03
Less Disbursements	17	<u>-120,059.00</u>
Balance before Distributions		\$ 2,597,816.03
Distributions to Beneficiaries	18-19	<u>-2,597,118.60</u>
Income Balance on Hand	20	\$ 697.43
COMBINED BALANCE ON HAND		<u>\$ 8,394,003.30</u> =====
Unitrust Statement(s)	21-28	
Verification	29	

PRINCIPAL RECEIPTS

Received from John Doe and Jane Doe, Settlers, for the uses and purposes as set forth in their Deed of Trust dated January 1, 2001, consisting of:

Bonds

\$500,000 AT&T Corp., 4.25% due 07/01/2001	\$ 490,000.00
\$500,000 U.S. Treasury Bond, 3% due 10/01/2003	489,000.00

Common Stocks

25,000 Shs. Exxon Mobil Corp.	2,125,000.00
22,000 Shs. General Electric Co.	1,320,000.00
34,000 Shs. General Motors Corp.	2,550,000.00
15,000 Shs. Int'l Business Machines Corp.	1,875,000.00
20,000 Shs. Microsoft Corp	1,400,000.00
	<hr/> \$ 10,249,000.00
Cash	400,000.00

TOTAL PRINCIPAL RECEIPTS	<hr/> \$ 10,649,000.00 =====
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PRINCIPAL GAINS OR LOSSES ON SALES OR OTHER DISPOSITIONS

		<u>GAIN</u>	<u>LOSS</u>
07/01/01	\$500,000 AT&T Corp., 4.25% due 07/01/2001		
	Net Proceeds 500,000.00		
	Acquisition Value <u>490,000.00</u>	\$ 10,000.00	
01/04/02	34,000 Shs. General Motors Corp.		
	Net Proceeds 2,255,981.00		
	Acquisition Value <u>2,550,000.00</u>		\$ 294,019.00
07/01/02	5,000 Shs. Exxon Mobil Corp.		
	Net Proceeds 491,234.00		
	Acquisition Value <u>425,000.00</u>	66,234.00	
12/22/02	10,000 Shs. General Electric Co.		
	Net Proceeds 895,786.00		
	Acquisition Value <u>600,000.00</u>	295,786.00	
10/02/03	\$500,000 U.S. Treasury Bond, 3% due 10/01/2003		
	Net Proceeds 500,000.00		
	Acquisition Value <u>489,000.00</u>	11,000.00	
03/15/04	4,000 Shs. Vanguard S&P 500 Index Fund		
	Net Proceeds 466,155.00		
	Acquisition Value <u>421,064.84</u>	45,090.16	
11/15/04	10,000 Shs. Vanguard Long Term Bond Fund		
	Net Proceeds 149,885.00		
	Acquisition Value <u>150,357.29</u>		472.29
12/15/05	500 Shs. Int'l Business Machines Corp.		
	Net Proceeds 67,500.00		
	Acquisition Value <u>62,500.00</u>	5,000.00	
		-----	-----
TOTALS		\$ 433,110.16	\$ 294,491.29
		=====	=====
NET GAIN TRANSFERRED TO SUMMARY			\$ 138,618.87
			=====

DISBURSEMENTS OF PRINCIPAL

ADMINISTRATION - MISC. EXPENSES

Upstanding Trust Company  
Trustee's Fees

03/30/01	\$	13,088.00		
06/30/01		13,125.00		
09/30/01		12,297.00		
12/30/01		13,045.00		
03/30/02		13,129.00		
06/30/02		13,155.00		
09/30/02		13,269.00		
12/30/02		13,400.00		
03/30/03		13,515.00		
06/30/03		13,532.00		
09/30/03		13,615.00		
12/30/03		13,718.00		
03/30/04		14,543.00		
06/30/04		14,618.00		
09/30/04		14,624.00		
12/30/04		14,655.00		
03/30/05		12,458.00		
06/30/05		12,516.00		
09/30/05		12,499.00		
12/30/05		<u>12,512.00</u>	\$	<u>267,313.00</u>
			\$	267,313.00

TRANSFERS FROM PRINCIPAL TO INCOME TO  
SATISFY UNITRUST PAYOUTS

12/30/01		471,000.00		
12/30/02		448,000.00		
12/30/03		424,000.00		
12/30/04		400,000.00		
12/30/05		<u>384,000.00</u>		<u>2,127,000.00</u>

TOTAL DISBURSEMENTS OF PRINCIPAL \$ 2,394,313.00  
=====

PRINCIPAL BALANCE ON HAND

	<u>VALUE AT 12/31/2005</u>	<u>FIDUCIARY ACQUISITION VALUE</u>
<u>Bonds</u>		
\$500,000 U.S. Treasury Bond, 3.5% due 01/01/2009	\$ 498,656.00	\$ 498,765.00
<u>Common Stocks</u>		
20,000 Shs. Exxon Mobil Corp.	1,936,589.00	1,700,000.00
12,000 Shs. General Electric Co.	998,787.00	720,000.00
14,500 Shs. Int'l Business Machines Corp.	1,965,632.00	1,812,500.00
20,000 Shs. Microsoft Corp	1,932,652.00	1,400,000.00
50,000 Shs. Xerox Corporation	791,564.00	775,345.00
<u>Mutual Funds</u>		
56,500 Shs. Vanguard Long Term Bond Fund	850,522.00	849,518.71
5,500 Shs. Vanguard S&P 500 Index Fund	616,654.00	578,964.16
	<u>\$ 9,591,056.00</u>	<u>\$ 8,335,092.87</u>
Upstanding Trust Company Money Market	58,213.00	58,213.00
	<u>58,213.00</u>	<u>58,213.00</u>
 TOTAL PRINCIPAL BALANCE ON HAND	 <u>\$ 9,649,269.00</u>	 <u>\$ 8,393,305.87</u>

PRINCIPAL INVESTMENTS MADE

01/06/02	66,500 Shs. Vanguard Long Term Bond Fund	\$ 999,876.00
01/06/02	9,500 Shs. Vanguard S&P 500 Index Fund	1,000,029.00
12/27/02	50,000 Shs. Xerox Corporation	775,345.00
12/29/02	\$500,000 U.S. Treasury Bond, 3.5% due 01/01/2009	<u>498,765.00</u>
TOTAL PRINCIPAL INVESTMENTS MADE		\$ 3,274,015.00 =====

CHANGES IN PRINCIPAL HOLDINGS

		<u>Account</u> <u>Value</u>
<u>Exxon Mobil Corp.</u>		
	25,000 Shs. Received from Settlers	\$ 2,125,000.00
07/01/02	<u>5,000 Shs.</u> Sold	<u>-425,000.00</u>
	20,000 Shs.	\$ 1,700,000.00
=====		
<u>General Electric Co.</u>		
	22,000 Shs. Received from Settlers	\$ 1,320,000.00
12/22/02	<u>10,000 Shs.</u> Sold	<u>-600,000.00</u>
	12,000 Shs.	\$ 720,000.00
=====		
<u>Int'l Business Machines Corp.</u>		
	15,000 Shs. Received from Settlers	\$ 1,875,000.00
12/15/05	<u>500 Shs.</u> Sold	<u>-62,500.00</u>
	14,500 Shs.	\$ 1,812,500.00
=====		
<u>Vanguard Long Term Bond Fund</u>		
01/06/02	66,500 Shs. Invested	\$ 999,876.00
11/15/04	<u>10,000 Shs.</u> Sold	<u>-150,357.29</u>
	56,500 Shs.	\$ 849,518.71
=====		

CHANGES IN PRINCIPAL HOLDINGS (cont'd)

		<u>Account</u> <u>Value</u>
	<u>Vanquard S&amp;P 500 Index Fund</u>	
01/06/02	9,500 Shs. Invested	\$ 1,000,029.00
03/15/04	<u>4,000 Shs. Sold</u>	<u>-421,064.84</u>
	5,500 Shs.	\$ 578,964.16
	=====	=====



RECEIPTS OF INCOME

AT&T Corp., 4.25% due 07/01/2001

01/04/01 Interest \$500,000	\$	10,625.00	
07/04/01 Interest \$500,000		<u>10,625.00</u>	\$ 21,250.00

Exxon Mobil Corp.

02/14/01 Dividend 25,000 Shs.	\$	500.00	
05/14/01 Dividend 25,000 Shs.		500.00	
08/14/01 Dividend 25,000 Shs.		500.00	
11/14/01 Dividend 25,000 Shs.		500.00	
02/14/02 Dividend 25,000 Shs.		500.00	
05/14/02 Dividend 25,000 Shs.		500.00	
08/14/02 Dividend 20,000 Shs.		400.00	
11/14/02 Dividend 20,000 Shs.		400.00	
02/14/03 Dividend 20,000 Shs.		400.00	
05/14/03 Dividend 20,000 Shs.		400.00	
08/14/03 Dividend 20,000 Shs.		400.00	
11/14/03 Dividend 20,000 Shs.		400.00	
02/14/04 Dividend 20,000 Shs.		400.00	
05/14/04 Dividend 20,000 Shs.		420.00	
08/14/04 Dividend 20,000 Shs.		420.00	
11/14/04 Dividend 20,000 Shs.		420.00	
02/14/05 Dividend 20,000 Shs.		420.00	
05/14/05 Dividend 20,000 Shs.		420.00	
08/14/05 Dividend 20,000 Shs.		420.00	
11/14/05 Dividend 20,000 Shs.		<u>420.00</u>	8,740.00

General Electric Co.

01/17/01 Dividend 22,000 Shs.	\$	2,860.00	
04/17/01 Dividend 22,000 Shs.		2,860.00	
07/17/01 Dividend 22,000 Shs.		2,860.00	
10/17/01 Dividend 22,000 Shs.		2,860.00	
01/17/02 Dividend 22,000 Shs.		2,860.00	
04/17/02 Dividend 22,000 Shs.		2,860.00	
07/17/02 Dividend 22,000 Shs.		2,860.00	
10/17/02 Dividend 22,000 Shs.		2,860.00	
01/17/03 Dividend 12,000 Shs.		1,560.00	
04/17/03 Dividend 12,000 Shs.		1,560.00	
07/17/03 Dividend 12,000 Shs.		1,560.00	
10/17/03 Dividend 12,000 Shs.		1,560.00	
01/17/04 Dividend 12,000 Shs.		1,560.00	
04/17/04 Dividend 12,000 Shs.		1,560.00	
07/17/04 Dividend 12,000 Shs.		1,560.00	
10/17/04 Dividend 12,000 Shs.		1,560.00	

FORWARD	\$	<u>35,360.00</u>	\$ 29,990.00
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RECEIPTS OF INCOME (cont'd)

FORWARD	\$	35,360.00	\$	29,990.00
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General Electric Co.  
(cont'd)

01/17/05 Dividend 12,000 Shs.		1,560.00		
04/17/05 Dividend 12,000 Shs.		1,560.00		
07/17/05 Dividend 12,000 Shs.		1,560.00		
10/17/05 Dividend 12,000 Shs.		<u>1,560.00</u>		41,600.00

General Motors Corp.

01/06/01 Dividend 34,000 Shs.	\$	1,700.00		
04/06/01 Dividend 34,000 Shs.		1,700.00		
07/06/01 Dividend 34,000 Shs.		1,700.00		
10/06/01 Dividend 34,000 Shs.		<u>1,700.00</u>		6,800.00

Int'l Business Machines Corp.

03/04/01 Dividend 15,000 Shs.	\$	1,950.00		
06/04/01 Dividend 15,000 Shs.		1,950.00		
09/04/01 Dividend 15,000 Shs.		1,950.00		
12/04/01 Dividend 15,000 Shs.		1,950.00		
03/04/02 Dividend 15,000 Shs.		1,950.00		
06/04/02 Dividend 15,000 Shs.		1,950.00		
09/04/02 Dividend 15,000 Shs.		1,950.00		
12/04/02 Dividend 15,000 Shs.		1,950.00		
03/04/03 Dividend 15,000 Shs.		1,950.00		
06/04/03 Dividend 15,000 Shs.		1,950.00		
09/04/03 Dividend 15,000 Shs.		1,950.00		
12/04/03 Dividend 15,000 Shs.		1,950.00		
03/04/04 Dividend 15,000 Shs.		1,950.00		
06/04/04 Dividend 15,000 Shs.		1,950.00		
09/04/04 Dividend 15,000 Shs.		1,950.00		
12/04/04 Dividend 15,000 Shs.		1,950.00		
03/04/05 Dividend 15,000 Shs.		1,950.00		
06/04/05 Dividend 15,000 Shs.		1,950.00		
09/04/05 Dividend 15,000 Shs.		1,950.00		
12/04/05 Dividend 15,000 Shs.		<u>1,950.00</u>		39,000.00

Microsoft Corp

02/08/01 Dividend 20,000 Shs.	\$	2,600.00		
05/08/01 Dividend 20,000 Shs.		2,600.00		
08/08/01 Dividend 20,000 Shs.		2,600.00		
11/08/01 Dividend 20,000 Shs.		2,600.00		
FORWARD	\$	<u>10,400.00</u>	\$	<u>117,390.00</u>

RECEIPTS OF INCOME (cont'd)

FORWARD \$ 10,400.00 \$ 117,390.00

Microsoft Corp  
(cont'd)

02/08/02 Dividend 20,000 Shs.	2,600.00	
05/08/02 Dividend 20,000 Shs.	2,600.00	
08/08/02 Dividend 20,000 Shs.	2,600.00	
11/08/02 Dividend 20,000 Shs.	2,600.00	
02/08/03 Dividend 20,000 Shs.	2,600.00	
05/08/03 Dividend 20,000 Shs.	2,600.00	
08/08/03 Dividend 20,000 Shs.	2,600.00	
11/08/03 Dividend 20,000 Shs.	2,600.00	
02/08/04 Dividend 20,000 Shs.	2,600.00	
05/08/04 Dividend 20,000 Shs.	2,600.00	
08/08/04 Dividend 20,000 Shs.	2,600.00	
11/08/04 Dividend 20,000 Shs.	2,600.00	
02/08/05 Dividend 20,000 Shs.	2,600.00	
05/08/05 Dividend 20,000 Shs.	2,600.00	
08/08/05 Dividend 20,000 Shs.	2,600.00	
11/08/05 Dividend 20,000 Shs.	<u>2,600.00</u>	52,000.00

U.S. Treasury Bond, 3% due 10/01/2003

04/10/01 Interest \$500,000	\$ 7,500.00	
10/10/01 Interest \$500,000	7,500.00	
04/10/02 Interest \$500,000	7,500.00	
10/10/02 Interest \$500,000	7,500.00	
04/10/03 Interest \$500,000	7,500.00	
10/01/03 Interest \$500,000	<u>7,500.00</u>	45,000.00

U.S. Treasury Bond, 3.5% due 01/01/2009

01/06/03 Interest \$500,000	\$ 8,750.00	
07/06/03 Interest \$500,000	8,750.00	
01/06/04 Interest \$500,000	8,750.00	
07/06/04 Interest \$500,000	8,750.00	
01/06/05 Interest \$500,000	8,750.00	
07/06/05 Interest \$500,000	<u>8,750.00</u>	52,500.00

Upstanding Trust Company Money Market

02/01/01 Interest	\$ 1,375.12	
03/01/01 Interest	1,122.22	
04/01/01 Interest	1,253.22	
05/01/01 Interest	998.32	

FORWARD \$ 4,748.88 \$ 266,890.00

RECEIPTS OF INCOME (cont'd)

FORWARD	\$	4,748.88	\$	266,890.00
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Upstanding Trust Company Money Market  
(cont'd)

06/01/01 Interest	955.67
07/01/01 Interest	996.22
08/01/01 Interest	922.87
09/01/01 Interest	498.80
10/01/01 Interest	785.32
11/01/01 Interest	811.32
12/01/01 Interest	800.20
01/01/02 Interest	1,795.60
02/01/02 Interest	1,567.22
03/01/02 Interest	1,223.00
04/01/02 Interest	1,119.00
05/01/02 Interest	1,223.00
06/01/02 Interest	1,001.75
07/01/02 Interest	1,301.75
08/01/02 Interest	901.75
09/01/02 Interest	1,002.34
10/01/02 Interest	1,212.34
11/01/02 Interest	1,022.34
12/01/02 Interest	955.66
01/01/03 Interest	1,101.00
02/01/03 Interest	1,122.00
03/01/03 Interest	1,121.00
04/01/03 Interest	1,133.00
05/01/03 Interest	1,119.00
06/01/03 Interest	1,122.00
07/01/03 Interest	1,211.00
08/01/03 Interest	1,201.00
09/01/03 Interest	1,233.00
10/01/03 Interest	1,241.00
11/01/03 Interest	1,222.00
12/01/03 Interest	1,234.00
01/01/04 Interest	1,112.00
02/01/04 Interest	1,122.00
03/01/04 Interest	1,111.00
04/01/04 Interest	950.00
05/01/04 Interest	1,003.00
06/01/04 Interest	996.00
07/01/04 Interest	1,099.00
08/01/04 Interest	1,101.00
09/01/04 Interest	993.00
10/01/04 Interest	897.00
FORWARD	\$ 49,289.03
	\$ 266,890.00

RECEIPTS OF INCOME (cont'd)

FORWARD \$ 49,289.03 \$ 266,890.00

Upstanding Trust Company Money Market  
(cont'd)

11/01/04 Interest	1,022.00	
12/01/04 Interest	998.00	
01/01/05 Interest	904.00	
02/01/05 Interest	997.00	
03/01/05 Interest	1,022.00	
04/01/05 Interest	1,012.00	
05/01/05 Interest	957.00	
06/01/05 Interest	1,040.00	
07/01/05 Interest	1,021.00	
08/01/05 Interest	1,012.00	
09/01/05 Interest	1,066.00	
10/01/05 Interest	921.00	
11/01/05 Interest	991.00	
12/01/05 Interest	<u>1,010.00</u>	63,262.03

Vanguard Long Term Bond Fund

02/04/02 Dividend 66,500 Shs.	\$ 3,755.00	
03/04/02 Dividend 66,500 Shs.	3,821.00	
04/04/02 Dividend 66,500 Shs.	3,966.00	
05/04/02 Dividend 66,500 Shs.	3,884.00	
06/04/02 Dividend 66,500 Shs.	3,892.00	
07/04/02 Dividend 66,500 Shs.	3,921.00	
08/04/02 Dividend 66,500 Shs.	3,866.00	
09/04/02 Dividend 66,500 Shs.	3,904.00	
10/04/02 Dividend 66,500 Shs.	3,916.00	
11/04/02 Dividend 66,500 Shs.	3,924.00	
12/04/02 Dividend 66,500 Shs.	3,911.00	
01/04/03 Dividend 66,500 Shs.	3,922.00	
02/04/03 Dividend 66,500 Shs.	3,916.00	
03/04/03 Dividend 66,500 Shs.	3,945.00	
04/04/03 Dividend 66,500 Shs.	3,941.00	
05/04/03 Dividend 66,500 Shs.	3,933.00	
06/04/03 Dividend 66,500 Shs.	3,922.00	
07/04/03 Dividend 66,500 Shs.	3,922.00	
08/04/03 Dividend 66,500 Shs.	3,966.00	
09/04/03 Dividend 66,500 Shs.	3,961.00	
10/04/03 Dividend 66,500 Shs.	3,955.00	
11/04/03 Dividend 66,500 Shs.	3,960.00	
12/04/03 Dividend 66,500 Shs.	3,962.00	
01/04/04 Dividend 66,500 Shs.	3,855.00	
FORWARD	<u>\$ 93,920.00</u>	<u>\$ 330,152.03</u>

RECEIPTS OF INCOME (cont'd)

FORWARD \$ 93,920.00 \$ 330,152.03

Vanquard Long Term Bond Fund  
(cont'd)

02/04/04 Dividend 66,500 Shs.	3,801.00	
03/04/04 Dividend 66,500 Shs.	3,812.00	
04/04/04 Dividend 66,500 Shs.	3,790.00	
05/04/04 Dividend 66,500 Shs.	3,780.00	
06/04/04 Dividend 66,500 Shs.	3,781.00	
07/04/04 Dividend 66,500 Shs.	3,766.00	
08/04/04 Dividend 66,500 Shs.	3,758.00	
09/04/04 Dividend 66,500 Shs.	3,741.00	
10/04/04 Dividend 66,500 Shs.	3,722.00	
11/04/04 Dividend 66,500 Shs.	3,716.00	
12/04/04 Dividend 56,500 Shs.	3,157.00	
01/04/05 Dividend 56,500 Shs.	3,044.00	
02/04/05 Dividend 56,500 Shs.	3,019.00	
03/04/05 Dividend 56,500 Shs.	3,044.00	
04/04/05 Dividend 56,500 Shs.	3,115.00	
05/04/05 Dividend 56,500 Shs.	3,111.00	
06/04/05 Dividend 56,500 Shs.	3,099.00	
07/04/05 Dividend 56,500 Shs.	3,111.00	
08/04/05 Dividend 56,500 Shs.	3,116.00	
09/04/05 Dividend 56,500 Shs.	3,115.00	
10/04/05 Dividend 56,500 Shs.	3,122.00	
11/04/05 Dividend 56,500 Shs.	3,132.00	
12/04/05 Dividend 56,500 Shs.	<u>3,121.00</u>	171,893.00

Vanquard S&P 500 Index Fund

04/05/02 Dividend 9,500 Shs.	\$ 3,756.00	
07/05/02 Dividend 9,500 Shs.	3,922.00	
10/05/02 Dividend 9,500 Shs.	4,015.00	
01/05/03 Dividend 9,500 Shs.	4,111.00	
04/05/03 Dividend 9,500 Shs.	4,221.00	
07/05/03 Dividend 9,500 Shs.	4,234.00	
10/05/03 Dividend 9,500 Shs.	4,311.00	
01/05/04 Dividend 9,500 Shs.	4,223.00	
04/05/04 Dividend 5,500 Shs.	4,111.00	
07/05/04 Dividend 5,500 Shs.	4,005.00	
10/05/04 Dividend 5,500 Shs.	4,055.00	
01/05/05 Dividend 5,500 Shs.	4,120.00	
04/05/05 Dividend 5,500 Shs.	4,234.00	
07/05/05 Dividend 5,500 Shs.	4,001.00	
10/05/05 Dividend 5,500 Shs.	<u>4,011.00</u>	61,330.00

FORWARD \$ 563,375.03

RECEIPTS OF INCOME (cont'd)

FORWARD \$ 563,375.03

Xerox Corporation

04/05/03 Dividend 50,000 Shs.	\$ 2,500.00	
07/05/03 Dividend 50,000 Shs.	2,500.00	
10/05/03 Dividend 50,000 Shs.	2,500.00	
01/05/04 Dividend 50,000 Shs.	2,500.00	
04/05/04 Dividend 50,000 Shs.	2,500.00	
07/05/04 Dividend 50,000 Shs.	2,500.00	
10/05/04 Dividend 50,000 Shs.	2,500.00	
01/05/05 Dividend 50,000 Shs.	2,500.00	
04/05/05 Dividend 50,000 Shs.	2,500.00	
07/05/05 Dividend 50,000 Shs.	2,500.00	
10/05/05 Dividend 50,000 Shs.	<u>2,500.00</u>	27,500.00

Transfers from Principal to Income to Satisfy Unitrust Payouts

12/30/01	\$ 471,000.00	
12/30/02	448,000.00	
12/30/03	424,000.00	
12/30/04	400,000.00	
12/30/05	<u>384,000.00</u>	<u>2,127,000.00</u>

TOTAL RECEIPTS OF INCOME \$ 2,717,875.03  
=====

DISBURSEMENTS OF INCOME

Upstanding Trust Company

Trustee's Fees

03/30/01	\$	5,609.00	
06/30/01		5,715.00	
09/30/01		5,823.00	
12/30/01		5,912.00	
03/30/02		6,010.00	
06/30/02		6,211.00	
09/30/02		6,055.00	
12/30/02		6,234.00	
03/30/03		6,311.00	
06/30/03		6,312.00	
09/30/03		6,322.00	
12/30/03		6,335.00	
03/30/04		6,431.00	
06/30/04		6,455.00	
09/30/04		6,459.00	
12/30/04		6,466.00	
03/30/05		5,340.00	
06/30/05		5,342.00	
09/30/05		5,351.00	
12/30/05		5,366.00	
		<u>5,366.00</u>	\$ <u>120,059.00</u>

TOTAL DISBURSEMENTS OF INCOME

\$ 120,059.00  
=====



DISTRIBUTIONS OF INCOME TO BENEFICIARIES

2001 Unitrust Payouts

Jane Doe			
03/30/01	\$	66,556.25	
06/30/01		66,556.25	
09/30/01		66,556.25	
12/30/01		<u>66,556.25</u>	\$ 266,225.00
John Doe			
03/30/01	\$	66,556.25	
06/30/01		66,556.25	
09/30/01		66,556.25	
12/30/01		<u>66,556.25</u>	<u>266,225.00</u> \$ 532,450.00

2002 Unitrust Payouts

Jane Doe			
03/30/02	\$	67,378.02	
06/30/02		67,378.02	
09/30/02		67,378.02	
12/30/02		<u>67,378.02</u>	\$ 269,512.08
John Doe			
03/30/02	\$	67,378.02	
06/30/02		67,378.02	
09/30/02		67,378.02	
12/30/02		<u>67,378.02</u>	<u>269,512.08</u> 539,024.16

2003 Unitrust Payouts

Jane Doe			
03/30/03	\$	68,486.86	
06/30/03		68,486.87	
09/30/03		68,486.86	
12/30/03		<u>68,486.87</u>	\$ 273,947.46
John Doe			
03/30/03	\$	68,486.87	
06/30/03		68,486.86	
09/30/03		68,486.87	
12/30/03		<u>68,486.86</u>	<u>273,947.46</u> 547,894.92

FORWARD

\$ 1,619,369.08

DISTRIBUTIONS OF INCOME TO BENEFICIARIES (cont'd)

FORWARD

\$ 1,619,369.08

2004 Unitrust Payouts

Jane Doe

03/30/04	\$	62,709.55	
06/30/04		62,709.55	
09/30/04		62,709.55	
12/30/04		<u>62,709.55</u>	\$ 250,838.20

John Doe

03/30/04	\$	62,709.55	
06/30/04		62,709.55	
09/30/04		62,709.55	
12/30/04		<u>62,709.55</u>	<u>250,838.20</u> 501,676.40

2005 Unitrust Payouts

Jane Doe

03/30/05	\$	59,509.14	
06/30/05		59,509.14	
09/30/05		59,509.14	
12/30/05		<u>59,509.14</u>	\$ 238,036.56

John Doe

03/30/05	\$	59,509.14	
06/30/05		59,509.14	
09/30/05		59,509.14	
12/30/05		<u>59,509.14</u>	<u>238,036.56</u> <u>476,073.12</u>

TOTAL DISTRIBUTIONS OF INCOME TO BENEFICIARIES

\$ 2,597,118.60

=====

INCOME BALANCE ON HAND

	<u>VALUE AT</u> <u>12/31/2005</u>	<u>FIDUCIARY</u> <u>ACQUISITION</u> <u>VALUE</u>
Upstanding Trust Company Money Market	\$ 697.43	\$ 697.43
<hr/>		
TOTAL INCOME BALANCE ON HAND	\$ 697.43	\$ 697.43
	=====	=====

UNITRUST STATEMENT

Fair Market Value as of 01/01/2001

	<u>MARKET VALUE</u>
<u>Bonds</u>	
\$500,000 AT&T 4.25% due 07/01/2001	\$ 490,000.00
\$500,000 US Treasury Bond 3% due 10/01/2003	489,000.00
<u>Common Stocks</u>	
25,000 Shs. Exxon Mobil Corp.	2,125,000.00
22,000 Shs. General Electric Co.	1,320,000.00
34,000 Shs. General Motors Corp.	2,550,000.00
15,000 Shs. Int'l Business Machines Corp.	1,875,000.00
20,000 Shs. Microsoft Corp	<u>1,400,000.00</u>
	\$ 10,249,000.00
<u>Cash</u>	
Principal Cash	400,000.00
Income Cash	<u>.00</u>
Fair Market Value	\$ 10,649,000.00
Payout Rate	5.000%
2001 Unitrust Payout	\$ 532,450.00
Number of Payments per Year	4
Installment Amount	\$ 133,112.50
Paid as Follows:	
Jane Doe	50.000% \$ 66,556.25
John Doe	50.000% \$ 66,556.25

UNITRUST STATEMENT

Fair Market Value as of 01/01/2002

	<u>MARKET VALUE</u>
<u>Bonds</u>	
\$500,000 US Treasury Bond 3% due 10/01/2003	\$ 488,965.00
<u>Common Stocks</u>	
25,000 Shs. Exxon Mobil Corp.	2,460,000.00
22,000 Shs. General Electric Co.	1,461,321.00
34,000 Shs. General Motors Corp.	2,316,000.00
15,000 Shs. Int'l Business Machines Corp.	2,001,020.00
20,000 Shs. Microsoft Corp	<u>1,675,032.00</u>
	\$ 10,402,338.00
<u>Cash</u>	
Principal Cash	377,445.00
Income Cash	<u>700.28</u>
Fair Market Value	\$ 10,780,483.28
Payout Rate	5.000%
2002 Unitrust Payout	\$ 539,024.16
Number of Payments per Year	4
Installment Amount	\$ 134,756.04
Paid as Follows:	
Jane Doe	50.000% \$ 67,378.02
John Doe	50.000% \$ 67,378.02

UNITRUST STATEMENT

Fair Market Value as of 01/01/2003

	<u>MARKET VALUE</u>
<u>Bonds</u>	
\$500,000 US Treasury Bond 3% due 10/01/2003	\$ 491,253.00
\$500,000 US Treasury Bond 3.5% due 01/01/2009	498,765.00
<u>Common Stocks</u>	
20,000 Shs. Exxon Mobil Corp.	1,853,265.00
12,000 Shs. General Electric Co.	975,895.00
15,000 Shs. Int'l Business Machines Corp.	1,991,897.00
20,000 Shs. Microsoft Corp	1,999,787.00
50,000 Shs. Xerox Corporation	797,841.00
<u>Mutual Funds</u>	
66,500 Shs. Vanguard Long Term Bond Fund	1,002,122.00
9,500 Shs. Vanguard S&P 500 Index Fund	<u>1,101,210.00</u>
	\$ 10,712,035.00
<u>Cash</u>	
Principal Cash	245,478.00
Income Cash	<u>384.87</u>
Fair Market Value	\$ 10,957,897.87
Payout Rate	5.000%
2003 Unitrust Payout	\$ 547,894.89
Number of Payments per Year	4
Installment Amount	\$ 136,973.72
FORWARD	<u>\$ 136,973.72</u>

UNITRUST STATEMENT (cont'd)

FORWARD		\$	136,973.72
Paid as Follows:			
Jane Doe	50.000%	\$	68,486.86
John Doe	50.000%	\$	68,486.86

UNITRUST STATEMENT

Fair Market Value as of 01/01/2004

	<u>MARKET VALUE</u>
<u>Bonds</u>	
\$500,000 US Treasury Bond 3.5% due 01/01/2009	\$ 497,888.00
<u>Common Stocks</u>	
20,000 Shs. Exxon Mobil Corp.	1,911,221.00
12,000 Shs. General Electric Co.	954,668.00
15,000 Shs. Int'l Business Machines Corp.	1,801,254.00
20,000 Shs. Microsoft Corp	1,852,325.00
50,000 Shs. Xerox Corporation	766,897.00
<u>Mutual Funds</u>	
66,500 Shs. Vanguard Long Term Bond Fund	997,898.00
9,500 Shs. Vanguard S&P 500 Index Fund	<u>988,787.00</u>
	\$ 9,770,938.00
<u>Cash</u>	
Principal Cash	267,098.00
Income Cash	<u>-4,508.05</u>
Fair Market Value	\$ 10,033,527.95
Payout Rate	5.000%
2004 Unitrust Payout	\$ 501,676.40
Number of Payments per Year	4
Installment Amount	\$ 125,419.10
	<u>125,419.10</u>
FORWARD	\$ 125,419.10



UNITRUST STATEMENT (cont'd)

FORWARD		\$	125,419.10
Paid as Follows:			
Jane Doe	50.000%	\$	62,709.55
John Doe	50.000%	\$	62,709.55

UNITRUST STATEMENT

Fair Market Value as of 01/01/2005

	<u>MARKET VALUE</u>
<u>Bonds</u>	
\$500,000 US Treasury Bond 3.5% due 01/01/2009	\$ 498,656.00
<u>Common Stocks</u>	
20,000 Shs. Exxon Mobil Corp.	1,899,562.00
12,000 Shs. General Electric Co.	932,221.00
15,000 Shs. Int'l Business Machines Corp.	1,755,696.00
20,000 Shs. Microsoft Corp	1,856,665.00
50,000 Shs. Xerox Corporation	766,545.00
<u>Mutual Funds</u>	
56,500 Shs. Vanguard Long Term Bond Fund	847,838.00
5,500 Shs. Vanguard S&P 500 Index Fund	<u>544,500.00</u>
	\$ 9,101,683.00
<u>Cash</u>	
Principal Cash	424,698.00
Income Cash	<u>-4,918.45</u>
Fair Market Value	\$ 9,521,462.55
Payout Rate	5.000%
2005 Unitrust Payout	\$ 476,073.13
Number of Payments per Year	4
Installment Amount	\$ 119,018.28
	<u>119,018.28</u>
FORWARD	\$ 119,018.28

UNITRUST STATEMENT (cont'd)

FORWARD		\$	119,018.28
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Paid as Follows:

Jane Doe	50.000%	\$	59,509.14
John Doe	50.000%	\$	59,509.14

UPSTANDING TRUST COMPANY

By \_\_\_\_\_  
Walter Trust, Vice President  
Trustee under Deed dated January 1, 2001  
of John Doe and Jane Doe, Settlers

VERIFICATION

WALTER TRUST, Vice President of Upstanding Trust Company, Trustee under Deed dated January 1, 2001 of JOHN DOE and JANE DOE, Settlers, hereby declares under oath that said Trustee has fully and faithfully discharged the duties of its office; that the foregoing First Account is true and correct and fully discloses all significant transactions occurring during the accounting period; that all known claims against the trust have been paid in full; that, to his knowledge, there are no claims now outstanding against the Trust; and that no taxes are presently due from the Trust on account of its status as a charitable remainder unitrust.

This statement is made subject to penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
Walter Trust

Dated: \_\_\_\_\_



