

# 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 November 7, 2006.

#### BANKING INSTITUTIONS

##### Interim Charter Application

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-6-06	Sussex Interim Bank Westfall Township Pike County	Westfall Township	Filed

Interim bank to be chartered solely to facilitate the ability of Sussex Bank, Franklin, NJ, a bank chartered under the laws of New Jersey, to establish a branch office in this Commonwealth.

#### Section 112 Applications

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
10-31-06	LeTort Management and Trust Company Camp Hill Cumberland County	Camp Hill	Filed

Represents application by G. Martin Eichelberger on behalf of the Eichelberger Family Limited Partnership, et. al, for approval to transfer ownership resulting in a change of voting control and/or control of more than 10% interest of LeTort Group, LLC, and thereby voting control and/or more than 10% interest of LeTort Management and Trust Company, Camp Hill, PA.

#### SAVINGS INSTITUTIONS

No activity.

#### CREDIT UNIONS

##### Conversions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
11-1-06	K of C Federal Credit Union Philadelphia Philadelphia County	Philadelphia	Effective

*To:*

Viriva Community Credit Union  
Philadelphia  
Philadelphia County

Represents conversion from a Federal credit union to a State-chartered community credit union whose field of membership includes persons who live, work, worship, perform volunteer service, attend school and businesses and other legal entities located in the Counties of Philadelphia, Bucks, Delaware and Montgomery and this Commonwealth.

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
11-1-06	Butler Armco Employees Credit Union, Butler, and Butler County Postal Employees Federal Credit Union, Butler Surviving Institution— Butler Armco Employees Credit Union, Butler	Butler	Effective

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*

# DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## Retention of Two Surveying Firms; Project Reference No. FDC-500-905

The Department of Conservation and Natural Resources (Department) will retain two surveying firms for open-end contracts for various surveying and engineering related services on various civil and environmental projects located on State park and State forest land in this Commonwealth. Each contract will be for a 12-month period with four 12-month extensions possible. Projects will be assigned on an as-needed basis to ensure proper and safe operation of Department infrastructure and facilities. One contract will be primarily for various projects at facilities located in the northcentral portion of this Commonwealth, and one contract will be primarily for projects at facilities located in the eastern half of this Commonwealth.

Typical work may consist of topographic surveys for the design of bridges, roads, dams, various buildings and sanitary systems or boundary/property surveys. The latter could include all necessary subdivision requirements. The typical work product will be submitted in both electronic and hard copy versions. The electronic version shall be compatible for use with the Department's Land Development Desktop Companion 2006 and future versions.

Letters of Interest for this project will only be accepted from individuals or firms or corporations duly authorized to engage in the practice of surveying. If an individual, firm or corporation not authorized to engage in the practice of surveying wishes to submit a letter of interest, the individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of surveying.

The surveying and/or engineering firms shall have the capability of providing survey crews of either two or three persons when requested by the Department. Survey crews shall report to project sites within 7 days of notification by the Department. Firms will be responsible for providing their own survey instruments, such as transits, levels, electronic distance measuring devices and all necessary support equipment. Also, all materials such as stakes, markers, field books, and the like, shall be furnished by the selected firms.

The number of open-end contracts and the dollar amount of each contract shall be at the discretion of the Department for the first year. The extent of the work for the subsequent 4 years of the contract will be dependent on the availability of additional funds and additional projects for those years, also at the discretion of the Department.

### **Special Provisions Concerning Disadvantaged Businesses and Enterprise Zone Businesses for Requests for Proposals**

#### **Part I. General Information**

##### *Disadvantaged Business Information*

The Issuing Office encourages participation by small disadvantaged businesses as prime contractors, joint ven-

tures and subcontractors/suppliers and by socially disadvantaged businesses as prime contractors.

Small Disadvantaged Businesses are small businesses that are owned or controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages. The term includes:

a. Department of General Services, Bureau of Minority and Women Business Opportunities (BMWBO)-certified minority business enterprises (MBEs) and women business enterprises (WBEs) that qualify as small businesses.

b. United States Small Business Administration-certified small disadvantaged businesses or 8(a) small disadvantaged business concerns.

Small businesses are businesses in the United States that are independently owned, are not dominant in their field of operation, employ no more than 100 persons and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

Socially disadvantaged businesses are businesses in the United States that BMWBO determines are owned or controlled by a majority of persons, not limited to members of minority groups, who are subject to racial or ethnic prejudice or cultural bias, but which do not qualify as small businesses. For a business to qualify as "socially disadvantaged," the offeror must include in its proposal clear and convincing evidence to establish that the business has personally suffered racial or ethnic prejudice or cultural bias stemming from the business person's color, ethnic origin or gender.

Questions regarding this program should be directed to Department of General Services, Bureau of Minority and Women Business Opportunities, Room 611, North Office Building, Harrisburg, PA 17125, (717) 787-6708, fax (717) 772-0021, [gs-bmwbo@state.pa.us](mailto:gs-bmwbo@state.pa.us).

Program information and a database of BMWBO-certified minority- and women-owned businesses can be accessed at [www.dgs.state.pa.us](http://www.dgs.state.pa.us), Keyword: BMWBO. The Federal vendor database can be accessed at [www.ccr.gov](http://www.ccr.gov) by clicking on "Dynamic Small Business Search" (certified companies are so indicated).

##### *Information Concerning Small Businesses in Enterprise Zones*

The Issuing Office encourages participation by small businesses, whose primary or headquarters facility is physically located in areas this Commonwealth has identified as Designated Enterprise Zones, as prime contractors, joint ventures and subcontractors/suppliers.

The definition of headquarters includes but is not limited to an office or location that is the administrative center of a business or enterprise where most of the important functions of the business are conducted or concentrated and location where employees are conducting the business of the company on a regular and routine basis so as to contribute to the economic development of the geographical area in which the office or business is geographically located.

Small businesses are businesses in the United States that are independently owned, are not dominant in their field of operation, employ no more than 100 persons and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

There is no database or directory of small business located in Designated Enterprise Zones. Information on the location of Designated Enterprise Zones can be obtained by contacting Aldona M. Kartorie, Center for Community Building, Department of Community and Economic Development, 4th Floor, Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7409, fax (717) 787-4088, akartorie@state.pa.us.

## Part II. Disadvantaged Businesses Submittal

### a. Disadvantaged Business Information

i. To receive credit for being a Small Disadvantaged Business or a Socially Disadvantaged Business or for entering into a joint venture agreement with a Small Disadvantaged Business or for subcontracting with a Small Disadvantaged Business (including purchasing supplies and/or services through a purchase agreement), an Offeror must include proof of Disadvantaged Business qualification in the Disadvantaged Business Submittal of the proposal, indicated as follows:

1. Small Disadvantaged Businesses certified by BMWBO as an MBE/WBE must provide a photocopy of their BMWBO certificate.

2. Small Disadvantaged Businesses certified by the United States Small Business Administration under section 8(a) of the Small Business Act (15 U.S.C.A. § 636(a)) as an 8(a) or small disadvantaged business must submit proof of United States Small Business Administration certification. The owners of these businesses must also submit proof of United States citizenship.

3. All businesses claiming Small Disadvantaged Business status, whether as a result of BMWBO certification or United States Small Business Administration certification as an 8(a) or small disadvantaged business, must attest to the fact that the business has 100 or fewer employees.

4. All businesses claiming Small Disadvantaged Business status, whether as a result of BMWBO certification or United States Small Business Administration certification as an 8(a) or small disadvantaged business, must submit proof that their gross annual revenues are less than \$20,000,000 (\$25,000,000 for those businesses in the information technology sales or service business). This can be accomplished by including a recent tax return or audited financial statement.

ii. All companies claiming status as a Socially Disadvantaged Business must include in the Disadvantaged Business submittal of the proposal clear and convincing evidence to establish that the business has personally suffered racial or ethnic prejudice or cultural bias stemming from the business person's color, ethnic origin, or gender. The submitted evidence of prejudice or bias must:

1. Be rooted in treatment which the business person has experienced in American society, not in other countries.

2. Show prejudice or bias that is chronic and substantial, not fleeting or insignificant.

3. Indicate that the businessperson's experience with the racial or ethnic prejudice or cultural bias has negatively impacted on his or her entry into and/or advancement in the business world.

BMWBO shall determine whether the contractor has established that a business is socially disadvantaged by clear and convincing evidence.

iii. In addition to these verifications, the offeror must include in the Disadvantaged Business Submittal of the proposal the following information:

1. The name and telephone number of the Offeror's project (contact) person for the Small Disadvantaged Business.

2. The business name, address, name and telephone number of the primary contact person for each Small Disadvantaged Business included in the proposal. The Offeror must specify each Small Disadvantaged Business to which it is making commitments. The Offeror will not receive credit for stating that it will find a Small Disadvantaged Business after the contract is awarded or for listing several businesses and stating that one will be selected later.

3. The specific work, goods or services each Small Disadvantaged Business will perform or provide.

4. The estimated dollar value of the contract to each Small Disadvantaged Business.

5. Of the estimated dollar value of the contract to each Small Disadvantaged Business, the percent of the total value of services or products purchased or subcontracted that will be provided by the Small Disadvantaged Business directly.

6. The location where each Small Disadvantaged Business will perform these services.

7. The timeframe for each Small Disadvantaged Business to provide or deliver the goods or services.

8. The amount of capital, if any, each Small Disadvantaged Business will be expected to provide.

9. The form and amount of compensation each Small Disadvantaged Business will receive.

10. For a joint venture agreement, a copy of the agreement, signed by all parties.

11. For a subcontract, a signed subcontract or letter of intent.

iv. The Offeror is required to submit only one copy of its Disadvantaged Business Submittal. The submittal shall be clearly identified as Disadvantaged Business information and sealed in its own envelope, separate from the remainder of the proposal.

v. The Offeror must include the dollar value of the commitment to each Small Disadvantaged Business in the same sealed envelope with its Disadvantaged Business Submittal. The following will become a contractual obligation once the contract is fully executed:

1. The amount of the selected Offeror's Disadvantaged Business commitment.

2. The name of each Small Disadvantaged Business.

3. The services each Small Disadvantaged Business will provide, including the timeframe for performing the services.

vi. A Small Disadvantaged Business can be included as a subcontractor with as many prime contractors as it chooses in separate proposals.

vii. An Offeror that qualifies as a Small Disadvantaged Business and submits a proposal as a prime contractor is not prohibited from being included as a subcontractor in separate proposals submitted by other Offerors.

*b. Enterprise Zone Small Business Participation.*

i. To receive credit for being an enterprise zone small business or entering into a joint venture agreement with an enterprise zone small business or subcontracting with an enterprise zone small business, an Offeror must include the following information in the Disadvantaged Business Submittal of the proposal:

1. Proof of the location of the business' headquarters (such as a lease or deed or Department of State corporate registration), including a description of those activities that occur at the site to support the other businesses in the enterprise zone.

2. Confirmation of the enterprise zone in which it is located (obtained from the local enterprise zone office).

3. Proof of United States citizenship of the owners of the business.

4. Certification that the business employs 100 or fewer employees.

5. Proof that the business' gross annual revenues are less than \$20,000,000 (\$25,000,000 for those businesses in the information technology sales or service business). This can be accomplished by including a recent tax return or audited financial statement.

6. Documentation of business organization, if applicable, such as articles of incorporation, partnership agreement or other documents of organization.

ii. In addition to these verifications, the Offeror must include in the Disadvantaged Business Submittal of the proposal the following information:

1. The name and telephone number of the Offeror's project (contact) person for the Enterprise Zone Small Business.

2. The business name, address, name and telephone number of the primary contact person for each Enterprise Zone Small Business included in the proposal. The Offeror must specify each Enterprise Zone Small Business to which it is making commitments. The Offeror will not receive credit for stating that it will find an Enterprise Zone Small Business after the contract is awarded or for listing several businesses and stating that one will be selected later.

3. The specific work, goods or services each Enterprise Zone Small Business will perform or provide.

4. The estimated dollar value of the contract to each Enterprise Zone Small Business.

5. Of the estimated dollar value of the contract to each Enterprise Zone Small Business, the percent of the total value of services or products purchased or subcontracted that each Enterprise Zone Small Business will provide.

6. The location where each Enterprise Zone Small Business will perform these services.

7. The timeframe for each Enterprise Zone Small Business to provide or deliver the goods or services.

8. The amount of capital, if any, each Enterprise Zone Small Business will be expected to provide.

9. The form and amount of compensation each Enterprise Zone Small Business will receive.

10. For a joint venture agreement, a copy of the agreement, signed by all parties.

11. For a subcontract, a signed subcontract or letter of intent.

iii. The dollar value of the commitment to each Enterprise Zone Small Business must be included in the same sealed envelope with the Disadvantaged Business Submittal of the proposal. The following will become a contractual obligation once the contract is fully executed:

1. The amount of the selected Offeror's Enterprise Zone Small Business commitment.

2. The name of each Enterprise Zone Small Business.

3. The services each Enterprise Zone Small Business will provide, including the timeframe for performing the services.

**PART III. Criteria for Selection**

*Disadvantaged Business Participation*

Evaluation will be based upon the following in order of priority:

Priority Rank 1 Proposals submitted by Small Disadvantaged Businesses.

Priority Rank 2 Proposals submitted from a joint venture with a Small Disadvantaged Business as a joint venture partner.

Priority Rank 3 Proposals submitted with subcontracting commitments to Small Disadvantaged Businesses.

Priority Rank 4 Proposals submitted by Socially Disadvantaged Businesses.

Each proposal will be rated for its approach to enhancing the utilization of Small Disadvantaged Businesses and/or Socially Disadvantaged Businesses. Each approach will be evaluated, with Priority Rank 1 receiving the highest score and the succeeding options receiving scores in accordance with the listed priority ranking.

To the extent that an Offeror qualifies as a Small Disadvantaged Business or a Socially Disadvantaged Business, the Small Disadvantaged Business or Socially Disadvantaged Business cannot enter into subcontract arrangements for more than 40% of the total estimated dollar amount of the contract. If a Small Disadvantaged Business or a Socially Disadvantaged Business subcontracts more than 40% of the total estimated dollar amount of the contract to other contractors, the Disadvantaged Business Participation scoring shall be proportionally lower for that proposal.

*Enterprise Zone Small Business Participation*

The following options will be considered as part of the final criteria for selection:

Priority Rank 1 Proposals submitted by an Enterprise Zone Small Business will receive the highest score.

Priority Rank 2 Proposals submitted by a joint venture with an Enterprise Zone Small Business as a joint venture partner will receive the next highest score for this criterion.

Priority Rank 3 Proposals submitted with a subcontracting commitment to an Enterprise Zone Small Business will receive the lowest score for this criterion.

Priority Rank 4 Proposals with no Enterprise Zone Small Business Utilization shall receive no points under this criterion.

To the extent that an Offeror is an Enterprise Zone Small Business, the Offeror cannot enter into contract or subcontract arrangements for more than 40% of the total estimated dollar amount of the contract in order to qualify as an Enterprise Zone Small Business for purposes of this RFP.

#### **PART IV. Work Statement**

##### *Contract Requirements—Disadvantaged Business Participation and Enterprise Zone Small Business Participation*

All contracts containing Disadvantaged Business participation and/or Enterprise Zone Small Business participation must also include a provision requiring the selected contractor to meet and maintain those commitments made to Disadvantaged Businesses and/or Enterprise Zone Small Businesses at the time of proposal submittal or contract negotiation, unless a change in the commitment is approved by the BMWBO. All contracts containing Disadvantaged Business participation and/or Enterprise Zone Small Business participation must include a provision requiring Small Disadvantaged Business subcontractors, Enterprise Zone Small Business subcontractors and Small Disadvantaged Businesses or Enterprise Zone Small Businesses in a joint venture to perform at least 50% of the subcontract or Small Disadvantaged Business/Enterprise Zone Small Business participation portion of the joint venture.

The selected contractor's commitments to Disadvantaged Businesses and/or Enterprise Zone Small Businesses made at the time of proposal submittal or contract negotiation shall be maintained throughout the term of the contract. Any proposed change must be submitted to BMWBO, which will make a recommendation to the Contracting Officer regarding a course of action.

If a contract is assigned to another contractor, the new contractor must maintain the Disadvantaged Business participation and/or Enterprise Zone Small Business participation of the original contract.

The selected contractor shall complete the Prime Contractor's Quarterly Utilization Report (or similar type document containing the same information) and submit it to the contracting officer of the Issuing Office and BMWBO within 10 workdays at the end of each quarter the contract is in force. This information will be used to determine the actual dollar amount paid to Small Disadvantaged Business and/or Enterprise Zone Small Business subcontractors and suppliers, and Small Disadvantaged Business and/or Enterprise Zone Small Business participants involved in joint ventures. Also, this information will serve as a record of fulfillment of the commitment the selected contractor made and for which it received Disadvantaged Business and Enterprise Zone Small Business points. If there was no activity during the quarter then the form must be completed by stating "No activity in this quarter."

*Note:* Equal employment opportunity and contract compliance statements referring to company equal employment opportunity policies or past contract compliance practices do not constitute proof of disadvantaged businesses status or entitle an Offeror to receive credit for Disadvantaged Businesses Utilization.

##### *General Requirements and Information*

Firms interested in performing the required services for this project are invited to submit Letters of Interest to Eugene J. Comoss, P. E., Director, Bureau of Facility Design and Construction, Rachel Carson State Office Building, 8th Floor, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451. Contact Rodger Cook at (717) 783-7943 for general information concerning the survey work.

Each Letter of Interest must include the firm's Federal identification number and the project reference number. The Letter of Interest shall also include a description of the firm's three most recently completed projects similar to the project proposed. The description shall include the client, contact person and phone number, the estimated or actual construction cost of the portion of the work which the firm designed, the project manager and the names of all personnel who made major contributions to the project. The Letter of Interest shall indicate the firm's capability of working on multiple small projects at the same time and understanding of the Department's needs. A standard DGS Form 150-ASP must accompany the Letter of Interest and shall indicate the individual in charge. The Form 150-ASP is available by downloading from DGS home page on the Internet at <http://www.dgs.state.pa.us>. Form 150-ASP may also be obtained in hard copy. Written request for hard copy should be addressed to the Selections Committee, Department of General Services, Room 206, 18th and Herr Streets, Harrisburg, PA 17125. In addition, the Form 150-ASP can be obtained by e-mail by addressing a request to: [pbianchi@state.pa.us](mailto:pbianchi@state.pa.us). Additional information pertinent to the firm's qualifications to do the work of this contract may be included.

Direct costs other than payroll, such as travel and subsistence, shall be based on the current State rates. Miscellaneous expenses such as copies, prints, sepia's, postage and film shall be reimbursed at cost upon approval by the Department.

The following factors will be considered during the evaluation of the firm's Letter of Interest:

Criteria evaluated by the Technical review will include:

1. Professional's understanding of the problem as demonstrated in Letter of Interest, and as stated in their own interpretation of the tasks to be performed.
2. Qualifications of firm.
3. Professional personnel in firm.
4. Soundness of approach as demonstrated in Letter of Interest, and as stated in their own interpretation of the tasks to be performed.
5. Available manpower to perform the services required.
6. Disadvantaged Businesses participation. (Evaluated by DGS)
7. Equitable distribution of the contracts.

Each proposer shall relate their proposal to these criteria.

One copy of the Disadvantaged Business section bound and sealed separately from the remainder of the proposal and six copies of the complete set consisting of the Letter of Interest and the required forms must be received no later than 4 p.m. on December 15, 2006. The six copies shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment and services will be made to two of the firms responding to this notice. However, the Department reserves the right to reject all Letters of Interest submitted, cancel the solicitation requested under this notice and/or readvertise solicitation for this service.

The Department will not offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever to its review of the proposal submitted and in formulating a recommendation for selections. Recommendations made by the Department shall be final.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 06-2268. Filed for public inspection November 17, 2006, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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#### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

*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>
PA0038598 (IW)	Susquehanna Aquacultures, Inc. P. O. Box 36 York Haven, PA 17370-0306	York County East Manchester Township	Susquehanna River 7-F	Y
PA0084077 (Sew)	Snake Spring Township Municipal Authority 624 Pennknoll Road Everett, PA 15537-6945	Bedford County Snake Spring Township	Raystown Branch Juniata River 11-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0030031	Keystone Utilities Group, Inc. 764 Bessemer Street Meadville, PA 16335	Greenwood Township Crawford County	UNT to Conneaut Outlet 16-D	Y
PA0223115	Comor, Inc. 23697 US 322 Cochranton, PA 16314-0241	East Fairfield Township Crawford County	Private Pond 16-D	Y
PA0000809	Aqua PA, Inc. Shenango Valley WTP 644 North Water Avenue Sharon, PA 16145-1515	City of Sharon Mercer County	Shenango River 20-A	Y
PA0238546	Ellwood City Forge Ellwood Group, Inc. P. O. Box 31 Ellwood City, Pa 16117-2354	Ellwood City Borough Lawrence County	Connoquenessing Creek 20-C	Y

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

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

**PA0057126**, Industrial Waste, **Hess Corporation**, 1 Hess Plaza, Woodbridge, NJ 07095. This existing facility is located in the City of Coatesville, **Chester County**.

Description of Proposed Activity: This application is for the renewal of an NPDES permit for an existing discharge from a groundwater remediation system at the former Hess Service Station No. 38291 located at 652 East Lincoln Highway, City of Coatesville.

The receiving stream, West Branch Brandywine Creek, is in the State Water Plan Watershed 3H and is classified for WWF, migratory fish, aquatic life, water supply, recreation and fishing. West Branch Brandywine Creek is a tributary to Brandywine Creek. There are no public water supply intakes identified downstream in this Commonwealth. The confluence with Brandywine Creek is approximately 16 river miles downstream from the discharge point. The State Line is approximately 9.5 river miles downstream from the confluence. A Wilmington, DE water supply intake is located on Brandywine Creek approximately 7.5 river miles downstream from the State Line.

The proposed effluent limits for Outfall No. 001, based on an average flow of 7,200 gpd of treated groundwater, are as follows:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Benzene	0.001		0.002	0.0025
Total BETX	0.1		0.2	0.25
Ethylbenzene	Monitor and Report		Monitor and Report	
Toluene	Monitor and Report		Monitor and Report	
Xylene, Total	Monitor and Report		Monitor and Report	
MTBE	Monitor and Report		Monitor and Report	
pH	within limits of 6.0 to 9.0 Standard Units at all times			

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

1. Notification of Designation of Operator.
2. Remedial Measures if Unsatisfactory Effluent.
3. Discharge to Small Stream.
4. BAT/ELG Reopener.
5. Change of Ownership.
6. Sludge Disposal Requirement.
7. Groundwater Monitoring Program.
8. Monitoring Report Submission.
9. No Stripper Tower Cleaning Water Discharge.
10. Visual Monitoring/Log.
11. 2/Month Monitoring.

**NPDES Permit No. PA0054810**, Sewage, SIC 4952, **Upper Frederick Township's Perkiomen Crossing Wastewater Treatment Plant**, 3205 Big Road, P. O. Box 597, Frederick, PA 19435. This facility is located on Valley Stream Drive, Upper Frederick Township, **Montgomery County**.

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

The receiving water, Goshenhoppen Creek, is in the State Water Plan Watershed 3E-Perkiomen and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua-PA is located on Perkiomen Creek and is approximately 12 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.048 mgd and will take effect from permit issuance through end of year 3 of permit term.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report			
CBOD <sub>5</sub>				
(5-1 to 10-31)	15.0	25		30
(11-1 to 10-31)	25	40		50
Total Suspended Solids	12.0	18		30
Ammonia as N				
(5-1 to 10-31)	4.5			9
(11-1 to 4-30)	13.5			27
Phosphorus as P	2.0			4.0
Fecal Coliform	200 #/100 ml			Monitor and Report
Dissolved Oxygen			5.0 (Min)	
pH (Standard Units)		within limits of 6.0 to 9.0		
NO <sub>2</sub> -N and NO <sub>3</sub> -N	10.0			20.0
Total Residual Chlorine	0.50			1.2

The proposed effluent limits for Outfall 001 are based on a design flow of 0.048 mgd and will take effect in the beginning of permit term year 4.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report			
CBOD <sub>5</sub>	10.0	15		20
Total Suspended Solids	10.0	15		20
Ammonia as N				
(5-1 to 10-31)	0.7			1.4
(11-1 to 4-30)	2.1			4.2
Phosphorus as P	0.50			1.0
Fecal Coliform	200 #/100 ml			Monitor and Report
Dissolved Oxygen			6.0 (Min)	
pH (Standard Units)		within limits of 6.0 to 9.0		
NO <sub>2</sub> -N and NO <sub>3</sub> -N	10.0			20.0
Total Residual Chlorine	0.10			0.20

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

1. Discharge must not cause nuisance.
2. Intermittent stream discharge, if discharge causes health hazard, additional measures may be required.

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

**PA#0013064**, Industrial, **Elementis Pigments, Inc.**, 1525 Wood Avenue, Easton, PA 18042-1497. This proposed facility is located in City of Easton, **Northampton County**.



Description of Proposed Activity: Renewal of NPDES Permit.

The receiving stream, Bushkill Creek, is in the State Water Plan Watershed 1F and is classified for HQ-CWF. The nearest downstream public water supply intake for Keystone Water Company is located on Delaware River is over 50 miles below the point of discharge.

*Outfall 001*

The proposed effluent limits for Outfall 001 (noncontact cooling water) based on an average flow of 1.5 mgd are as follows:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature**			110°F
pH	within limits of 6.0 to 9.0 standard units at all times.		

\*\*The discharge may not change the temperature of the receiving stream by more than 2° F in any 1-hour period.

*Outfall 002*

The proposed effluent limits based on a design flow of 1.30 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
Total Dissolved Solids	10,000	15,000	
Ammonia-Nitrogen	20	40	50
Oil and Grease	10	30	30
Zinc Total	0.1	0.2	0.25
Iron Total	1.0	2.0	2.5
pH	within limits of 6.0 to 9.0 standard units at all times.		
Temperature			110°F

*Temperature*

*Period*

*Maximum Allowable Daily °F*

January 1 to 31	70.7
February 1 to 29	74.4
March 1 to 31	107.6
April 1 to 15	110.0
April 16 to 30	110.0
May 1 to 15	102.7
May 16 to 31	103.7
June 1 to 15	89.9
June 16 to 30	89.9
July 1 to 31	81.3
August 1 to 15	77.7
August 16 to 31	77.7
September 1 to 15	73.0
September 16 to 30	71.0
October 1 to 15	69.9
October 16 to 31	64.9
November 1 to 15	67.4
November 16 to 30	63.4
December 1 to 31	64.6

Outfalls 003—005 and 007—013 are permitted to discharge stormwater only.

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

**PA0218405**, Industrial Waste, SIC 3299, **Morgan Advanced Ceramics, GBC Materials**, 580 Monastery Drive, Latrobe, PA 15650. This application is for renewal of an NPDES permit to discharge treated groundwater and untreated stormwater from the Morgan Advanced Ceramics facility in Unity Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, a swale to Monastery Run and Monastery Run, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream PWS is the Buffalo Township Municipal Authority—Freeport, located over 25 miles below the discharge point on the Allegheny River.

Outfall 001: existing discharge, design flow of 0.0072 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Suspended Solids			30		60
Boron			11.5		29
Copper			Monitor and Report		
Vinyl Chloride			0.010		0.010
Trichloroethylene			0.015		0.038
pH (Standard Units)	not less than 6.0 nor greater than 9.0				

Other Conditions: Solids disposal, floating solids, stormwater conditions, control of backwash or cleaning wastewater.

Outfall 002: existing discharge of stormwater

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			Monitor and Report		
Boron			Monitor and Report		
Aluminum			Monitor and Report		
Trichloroethylene			Monitor and Report		
Vinyl Chloride			Monitor and Report		

The EPA waiver is in effect.

**PA0038172**, Sewage, **Hempfield Township Municipal Authority**, 1146 Woodward Drive, Greensburg PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from Rolling Hills STP in Hempfield Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.071 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
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)	3.0			6.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.2
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.

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

**PA0239909**, Sewage, **Wesley Schmidt**, 239 Dufford Road, Evans City, PA 16033. This proposed facility is located in Forward Township, **Butler County**.

Description of Proposed Activity: small flow treatment facility.

The receiving water is the UNT to Connoquenessing Creek. The receiving stream is in State Water Plan 20-C and is classified for the following uses: WWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Beaver Falls Municipal Authority—Eastvale Plant intake is located on the Beaver River and is approximately 33 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
CBOD <sub>5</sub>	10		20
Total Suspended Solids	20		40
Fecal Coliform		200/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

XX—Monitor and report.

The EPA waiver is in effect.

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

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

**WQM Permit No. WQG02210603**, Sewerage, **Silver Spring Township Authority**, P. O. Box 1001, New Kingstown, PA 17072. This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking approval to construct a 10 lot mixed commercial development.

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

**WQM Permit No. WQG016133**, Sewerage, **Jack Schweiger**, 259 Church Road, Fombell, PA 16123. This proposed facility is located in Franklin Township, **Beaver County**.

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

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

**WQM Permit No. 1006407**, Sewerage, **Wesley H. Schmidt**, 239 Dufford Road, Evans City, PA 16033. This proposed facility is located in Forward Township, **Butler County**.

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

**WQM Permit No. 2506411**, Sewerage, **Millcreek Township Sewer Authority**, P. O. Box 8158, Erie, PA 16505-0158. This proposed facility is located in Millcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a sanitary lift station to serve the proposed Whispering Woods Estates and the Stonebridge Golf Course. The sewage will be conveyed by existing sewers in Millcreek Township and the City of Erie to the City of Erie's wastewater treatment facility.

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

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024506026	AMMRE Holdings, LLC 1 Empire Plaza Stroudsburg, PA 18360	Monroe	Paradise Township	Paradise Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806030	Keystone Cement Co. Attn: Rocco Marinaro P. O. Box A Bath, PA 18014-0058	Northampton	East Allen Township	Monocacy Creek HQ-CWF
PAI024806031	RAME Properties Attn: Rudy Amelio 1348 W. Hamilton St. Allentown, PA 18102	Northampton	Moore Township	Monocacy Creek HQ-CWF Hokendauqua Creek HQ-CWF Catasauqua Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025206012	Sunrise Ventures, Inc. 3000 Sunrise Lake Milford, PA 18337	Pike	Dingman Township	Rattlesnake Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025806002	Ron Powers R. R. 5, Box 124 Montrose, PA 18801	Susquehanna	Forest Lake Township	Tributary to Wyalusing Creek CWF

*Luzerne County Conservation District: Smith Pond Road, Lehman, PA 18627-0250, (570) 674-7991,*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024006005	Foster Township 100 Wyoming Ave. P. O. Box 465 Freeland, PA 18224	Luzerne	Foster Township	Pond Creek HQ-CWF Black Creek 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>
PAI030706001	Wal Mart Real Estate Business Trust 2001 SE 10th Street Bentonville, AR 72712	Blair	Antis Township	UNT Little Juniata River WWF
PAI035006005	Jared Sawyer and Josh Bell 8407 Spring Road New Bloomfield, PA 17068	Perry	Saville Township	Buffalo Creek HQ-CWF

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

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

**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 in-

clude 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)

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

**Permit No. 0906513**, Public Water Supply

Applicant **Telford Borough Authority**  
 Townships West Rockhill and Hilltown  
 County **Bucks**  
 Responsible Official Mark D. Fournier  
 Type of Facility PWS  
 Consulting Engineer CKS Engineers, Inc.  
 Application Received Date October 31, 2005  
 Description of Action Installation of an arsenic treatment system at Wells No. 4 and 6.

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

**Application No. 4006505**, Public Water Supply.

Applicant **Aqua Pennsylvania Inc. (Eagle Rock Water System)**  
 Hazle Township  
**Luzerne County**  
 Responsible Official Patrick R. Burke  
 Aqua Pennsylvania, Inc.  
 50 East Woodhaven Drive  
 White Haven, PA  
 Type of Facility Public Water System  
 Consulting Engineer CET Engineering Services  
 1240 North Mountain Road  
 Harrisburg, PA  
 Application Received Date 10/24/06  
 Description of Action A new well source, well No. 4, and the associated treatment building housing a greensand filter and chemical feed equipment.

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

**Permit No. 1406505—Construction** Public Water Supply.

Applicant **Spring Mill Group, LP**  
 Township or Borough Spring Townships

County **Centre**  
 Responsible Official Bradley E. Sinrod, President  
 Spring Mill Group, LP  
 20 Penarth Road  
 Bala Cynwyd, PA 19004  
 Type of Facility Public Water  
 Supply—Construction  
 Consulting Engineer Andrew H. Johnson, P. E.  
 Senior Project Engineer  
 Gwin, Dobson & Foreman, Inc.  
 3121 Fairway Drive  
 Altoona, PA 16602  
 Application Received Date November 1, 2006  
 Description of Action Installation of approximately 4,450 LF of 10" waterline and 2,350 LF of 12" waterline, a pump station and a 225,000 gallon water storage tank. Waterstone Residential Site Development Water System Extension.

**Permit No. 1806501—Construction**, Public Water Supply.

Applicant **Chapman Township Water Authority**  
 Township or Borough Chapman Township  
 County **Clinton**  
 Responsible Official Richard Eliason, Authority Secretary  
 Chapman Township Water Authority  
 P. O. Box 433  
 North Bend, PA 17760  
 Type of Facility Public Water  
 Supply—Construction  
 Consulting Engineer K. Alan Uhler, Jr., P. E., PLS  
 Kerry A. Uhler & Associates  
 140 West High Street  
 Bellefonte, PA 16823  
 Application Issued Date November 2, 2006  
 Description of Action Interconnecting of Chapman Township Water Authority system to Renovo Borough water supply, for purchase of bulk water.

### MINOR AMENDMENT

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

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

**Application No. Minor Amendment.**

Applicant **Pennsylvania American Water Co. (PAWC)**  
 Coolbaugh Township  
**Monroe County**

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

Type of Facility Public Water System

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

Application Received Date 10/24/2006

Description of Action PAWC proposes the blasting and painting of the interior and exterior of the 100,000 gallon elevated tank, known as the PAWC "Industrial Park Tank."

**Application No. Minor Amendment.**

Applicant **Pennsylvania American Water Co. (PAWC)**  
Bridgewater Township  
**Susquehanna County**

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

Type of Facility Public Water System

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

Application Received Date 10/24/2006

Description of Action PAWC proposes interior and exterior painting, underdrain replacement, media replacement, and minor sanitary, safety and structural modifications to the Montrose Filter No. 2.

**Application No. 2359008, Minor Amendment.**

Applicant **PA American Water Co. (Chinchilla Water System)**  
South Abington Township  
**Lackawanna County**

Responsible Official Scott M. Thomas, P. E.  
PA American Water Co.  
800 Hersheypark Drive  
Hershey, PA 17033

Type of Facility Public Water System

Consulting Engineer Scott M. Thomas, P. E.  
Operations Engineer  
PA American Water Co.

Application Received Date 10/24/2006

Description of Action The rehabilitation of the Chinchilla water storage tank No. 1

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 1**

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

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

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

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

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

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

**313 Old Mine Road**, West Cornwall Township, **Lebanon County**. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Paul Clifford, 313 Old Mine Road, Mount Gretna, PA 17064, and Elizabeth Werth, c/o Mary Bercheck, 525 South 8th Street, Lebanon, PA 17042 submitted a Notice of Intent to Remediate soils contaminated with benzene leaked during removal of a gasoline underground storage tank. The applicant is seeking to remediate to the Statewide Health Standard. The property is residential and will remain residential in the future.

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

**Lowes of Mill Hall, Bald Eagle Township, Clinton County**. Converse Consultants, 2738 West College Ave., State College, PA 16801 on behalf of Mill Hall Development, LLC, 121 Prosperous Place, Suite 6-B, Lexington, KY 40065 has submitted a Notice of Intent to Remediate groundwater contaminated with chlorinated solvents. The applicant proposes to remediate the site to meet the Background Standard. The Lowes of Mill Lot 3 property will be used for commercial purposes.

**PPL-Shinglehouse (S-17)**, Sharon Township, **Potter County**. PPL Services Corp., 2 North 9th Street GENTW17, Allentown, PA has submitted a Notice of Intent to Remediate soil contaminated with mercury. The applicant proposes to remediate the site to meet the Statewide Health Standard. The site will remain a natural gas meter/regulator station.

**PPL-Sharon Station (S-9)**, Sharon Township, **Potter County**. PPL Services Corp., 2 North 9th Street GENTW17, Allentown, PA has submitted a Notice of Intent to Remediate soil contaminated with mercury. The applicant proposes to remediate the site to meet the Statewide Health Standard. The site will remain a natural gas meter/regulator station.

**Sunoco-Playworld Systems**, New Berlin Borough, **Union County**. Aquaterra Technologies, Inc., P. O. Box 744, West Chester, PA 19381 on behalf of Sunoco, Inc. (R7M), 350 Eagleview Blvd., Suite 300, Exton, PA 19341 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with constituents of leaded and unleaded gasoline. The applicant proposes to remediate the site to meet the Site-Specific Standard.

**Dominion Transmission, Inc—Sabinsville Compressor Station**, Clymer Township, **Tioga County**. Groundwater & Environmental Services, Inc., 800 Commonwealth Drive, Suite 201, Warrendale, PA 15086 on behalf of Dominion Resources Services, Inc., 1201 Pitt Street, Pittsburgh, PA 15221 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with VOCs and metals. The applicant proposes to remediate the site to meet the Statewide Health Standard. The proposed future of the property will remain nonresidential. A summary of the Notice of Intent to Remediate was reported to have been published in the *Potter Leader Enterprise*, on September 27, 2006.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regu-

lated 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.**

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

**40-303-029: Pikes Creek Asphalt—Division of Reading Materials, Inc.** (P. O. Box 1467, Skippack, PA 19474) for installation of an air cleaning device (replacement of a baghouse) to capture emissions from the existing batch asphalt plant and to increase the amount of recycled asphalt pavement in the product mix, at their facility in Lehman Township, **Luzerne County**.

**48-303-057: ABE Materials-Easton—Division of Haines and Kibblehouse, Inc.** (P. O. Box 196, Skip-pack, PA 19474) for installation of an air cleaning device (replacement of a baghouse) to capture emissions from the existing batch asphalt plant, and to increase the amount of recycled asphalt pavement in the product mix, at their facility in Lower Mount Bethel Township, **Northampton County**.

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

**06-05025B: Morgan Corp.** (P. O. Box 588, 35 Thousand Oaks Boulevard, Morgantown, PA 19543-0588) for installation of a new paint booth with High Volume Low Pressure spray guns in Caernarvon Township, **Berks County**. This source will be controlled by the use of dry filters to control PM emissions.

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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.*

**09-0163: Blooming Glen Quarry** (901 Minsi Trail, Blooming Glen, PA 18911) for installation of two screens and their associated conveyors at an existing quarry in Hilltown Township, **Bucks County**. This facility is a non-Title V facility. The PM emissions from the two screens and their associated conveyors will be controlled by the existing water suppressions system. The Plan Approval will also contain monitoring, recordkeeping and work practice standard conditions designed to keep the facility operating within the allowable emission limits and all applicable air quality requirements.

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

**38-05003E: Carmeuse Lime, Inc.** (3 Clear Springs Road, Annville, PA 17003) for use of cocoa bean waste as a fuel in the No. 5 lime kiln at the Millard lime plant in North Londonderry Township, **Lebanon County**. The facility's emissions of SO<sub>x</sub> is expected to decrease from the use of the cocoa bean waste. SO<sub>x</sub> emissions from the facility are limited to 685 tons per consecutive 12-month period. The plan approval and subsequent Title V operating permit amendment will include emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 63, Subpart AAAAA—National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants.

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

**20-194D: Lord Corp.** (601 South Street, Saegertown, PA 16433-1050) for installation of a thermal oxidizer and dust collector to control emissions from miscellaneous coating manufacturing operations at their Saegertown facility, in the municipality of Saegertown, **Crawford County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a plan approval to for installation of a thermal oxidizer and dust collector to control emissions from miscellaneous coating manufacturing operations at their Saegertown facility, in municipality of Saegertown, Crawford County. The facility currently has a Title V Permit No. 20-00194 that was issued 5/25/2004. 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.

As a general summary, the following requirements are applicable to all process vessels subject to 40 CFR 63 Subpart HHHHH:

1. The HAP emission limit from the process vessels affected by 40 CFR Part 63, Subpart HHHHH shall be determined by the Department, after reviewing the results of stack testing under the worst-case conditions. This limit shall be incorporated into the Title V permit.

2. The process vessels shall be in compliance with the emission limits in Table 1 to Subpart HHHHH of 40 CFR Part 63 as determined by the alternative means of compliance found in 40 CFR 63.8055 except during periods of startup, shutdown and malfunction.

3. Estimate uncontrolled emissions from each affected stationary process vessel in pounds per batch using the procedures specified in Emission Model for Saegertown as defined in the RACT submittal of 1994 and approved by the Environmental Protection Agency (EPA) in 1994 for 40 CFR Part 63, Subpart GGG, the pharmaceutical MACT. Uncontrolled emissions mean the emissions from the vessel if it were equipped only with a tightly-fitting vented cover. Identify the range of typical operating parameters and perform the calculation using the values that result in the highest emissions. If the vessel is vented to the atmosphere, then actual emissions are equal to the estimated uncontrolled emissions.

4. The applicable testing and compliance conditions of 40 CFR 63.1257 as referenced by 40 CFR 63.8005.

5. Maintain a monthly log of the number of batches produced that can be correlated with the emissions estimates. Sum the actual emissions for all the process vessels in the emissions averaging group every 3 months, with the first 3-month period beginning on the compliance date, and compare the resulting total with the total emissions for the vessels as if they were controlled to reduce emissions 75% by weight.

6. Opening of a safety device is allowed at any time conditions require it to avoid unsafe conditions.

7. Equip the vessel with a tightly fitting vented cover or lid that must be closed at all times when the vessel contains HAP, except for material additions and sampling.

8. Table 10 to Subpart HHHHH of 40 CFR Part 63-Applicability of General Provisions to Subpart HHHHH apply to these sources.

9. Applicable recordkeeping and reporting requirements.

As a general summary, the following requirements are applicable to all process vessels controlled by the Regenerative Thermal Oxidizer (RTO):

1. All stationary process vessels must demonstrate 98% capture efficiency.



2. The applicable work practice requirements of 40 CFR Part 63, Subpart SS as referenced by 40 CFR 63.8000.

As a general summary, the following requirements are applicable to all processes controlled by the RTO:

1. The PM emissions being discharged to the atmosphere from the thermal oxidizer exhaust shall not exceed 0.02 grain per dry standard cubic feet.

2. The RTO shall only operate on natural fuel gas.

3. The regenerative thermal oxidizer shall demonstrate a 98% destruction efficiency of VOC emissions.

4. The facility shall install, calibrate and operate a continuous flow indicator at the inlet or outlet of the RTO.

5. Temperatures of the RTO shall be continually monitored and recorded during all periods of operation. Records of temperatures shall be maintained for a minimum of 5 years, and shall be made available to the Department upon request.

6. The pressure drop across the collector shall be recorded on a daily basis. A daily log shall be maintained and kept on file for at least 5 years and made available to Department personnel upon request. The facility can make a written request to change the frequency of recording the pressure drop after the dust collector has been in operation for three months. The requested change can be made with the approval of the Department.

7. An inspection/maintenance log for the dust collector and RTO shall be maintained on site. The log shall contain all records of maintenance, as suggested by the manufacturer.

8. Records of flow through the RTO shall be maintained for a minimum of 5 years, and shall be made available to the Department upon request.

9. The applicable recordkeeping conditions of 40 CFR Part 63, Subpart SS as referenced by 40 CFR 63.8000.

10. The applicable monitoring conditions of 40 CFR Part 63, Subpart SS as referenced by 40 CFR 63.8000.

11. The temperature during stack testing and retention time during stack testing will become the operating limit for the minimum temperature and minimum retention time for the RTO.

12. The exhaust flow during stack testing will become the operating limit for the maximum flow through the RTO.

13. A continuous temperature recorder shall be installed to measure and record the temperature in the RTO.

14. The permittee shall perform a weekly preventive maintenance inspection of control devices. The permittee shall operate the control device at all times that this source is in operation. The permittee shall maintain and operate this source and the control devices in accordance with the manufacturer's specifications. The facility shall maintain a copy of the manufacturer's specifications on-site.

15. A magnehelic gauge shall be permanently installed and maintained at a conveniently readable location to indicate the pressure drop across the dust collector.

16. Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale that the expected normal reading shall be no less than 20% of full scale.

17. Twenty percent of the total number of cartridges in the dust collector is required to be onsite (4 cartridges) for emergency replacement.

18. The operating range for pressure drop of the dust collector developed during compliant stack testing shall become the standard operating parameters for the control device.

19. A person may not cause or permit the operation of a source subject to 25 Pa. Code § 127.11 (relating to plan approval requirements), unless the source and air cleaning devices identified in the application for the plan approval and the plan approval issued to the source, are operated and maintained in accordance with specifications in the application and conditions in the plan approval issued by the Department. A person may not cause or permit the operation of an air contamination source subject to this chapter in a manner inconsistent with good operating practices.

20. The applicable stack testing including conditions as referenced by 40 CFR 63.8000.

The following requirement is applicable to the rotary drum filter and vacuum pump.

1. The net emission reduction from the rotary drum filter shall be 98% consisting of a combination of destruction efficiency of the RTO and the emission capture efficiency.

Copies of the application, Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at 230 Chestnut Street, Meadville, PA 16335. Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following:

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

Identification of the proposed permit [No.20-194C].

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

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, when the Department determines that telephone notification is sufficient. Written comments or requests for a public hearing should be directed to Cary Cooper, P. E., New Source Review, 230 Chestnut Street Meadville, PA 16335 (814) 332-6940.

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

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in 25 Pa. Code §§ 127.421 to 127.431 for State-only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

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

**AMS 06107: The Children's Hospital of Philadelphia** (34th and Civic Center Boulevard, Philadelphia, PA 19104) for installation of four 800 HP boilers and two 2,080 kW emergency generators in the City of Philadelphia, **Philadelphia County**. The units combined will be limited to 50 tons of NO<sub>x</sub> emissions per rolling 12-month period. The entire facility will be limited to less than 100 tons of SO<sub>2</sub> and 100 tons of CO emissions per rolling 12-month period. The plan approval will contain monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

**AMS 06103: G-Point Material, Inc.** (2604 Penrose Ferry Road, Philadelphia, PA 19145) for operation of loading and unloading dry bulk materials in the City of Philadelphia, **Philadelphia County**. There will be a potential emission increase of 2.34 tons for PM for the facility. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

#### OPERATING PERMITS

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

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

**43-00310: Duferco Farrell Corp.—Farrell Plant** (15 Roemer Boulevard, Farrell, PA 16121) for modification to incorporate synthetic minor emission limits for two date eligible sources, so that the facility will fall under the BART applicability threshold in the City of Farrell, **Mercer County**. The combined NO<sub>x</sub> emissions from Source ID: 106-Slab Reheat Furnace No. 1 and Source ID: 107-Slab Reheat Furnace No. 2 have been limited to no more than 250 tons per year.

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

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

**35-00042: Scranton Sewer Authority** (307 North Washington Avenue, Scranton, PA 18503) for renewal of an operating permit for Wastewater Treatment Plant operations in the City of Scranton, **Lackawanna County**.

**40-00052: Pioneer Aggregates—Valley Stone Quarry** (202 Main Street, Laflin, PA 18702) for renewal of an operating permit for operation of a crushing plant in Plains Township, **Luzerne County**.

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

**06-05084: Electro-Space Fabricators, Inc.** (300 West High Street, Topton, PA 19562) for operation of a metal fabricating and surface coating facility in Topton Borough, **Berks County**. This action is a renewal of the State-only Operating Permit issued in 2002.

**36-05147: Wenger's Feed Mill, Inc.** (101 West Harrisburg Avenue, Rheems, PA 17570) for operation of their feed mill in Mount Joy Borough, **Lancaster County**. To maintain Synthetic Minor status, the mill has a limit on gallons of fuel oil burned in any 12-consecutive month period. Actual emissions are expected to be 1 ton per year of CO, 2 tons per year of NO<sub>x</sub>, 5 tons per year of SO<sub>x</sub> and 3 tons per year of PM. The State-only permit will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

### COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

#### *Coal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 56010103 and NPDES No. PA0248789. Hoffman Mining, Inc.** (P. O. Box 130, Friedens, PA 15541). Permit renewal for reclamation only of a bituminous surface auger mine in Shade Township, **Somerset County**, affecting 95.5 acres. Receiving streams: UNTs to and Oven Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 24, 2006.

**Permit No. 56960110 and NPDES No. PA0234281. PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541). Permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 312.2 acres. Receiving streams: UNTs to and Blue Lick Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 26, 2006.

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

**33060104 and NPDES Permit No. PA0258229. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801). Commencement, operation and restoration of a bituminous surface strip operation in Knox Township, **Jefferson County** affecting 38.9 acres. Receiving streams: UNTs to Five Mile Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 30, 2006.

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

**17960104 and NPDES No. PA0220281. Sky Haven Coal, Inc.** (5510 Sate Park Road, Penfield, PA 15849). Permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Beccaria Township, **Clearfield County**, affecting 79.0 acres. Receiving streams: Cofinan Run to Clearfield Creek to West

Branch of Susquehanna River, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 24, 2006.

**17960113 and NPDES No. PA0220396. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Covington Township, **Clearfield County**, affecting 321.5 acres. Receiving streams and classifications: unnamed stream to Potter Run a CWF; unnamed stream to Grimes Run a HQ-CWF; unnamed stream to Curley's Run a HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 24, 2006.

#### *Coal Applications Returned*

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

**33050101 and NPDES Permit No. PA0242641. Jurassic Energy, Inc.** (P. O. Box 450, Bigler, PA 16825). Commencement, operation and restoration of a bituminous strip operation in Snyder Township, **Jefferson County** affecting 81.5 acres. Receiving streams: UNT to Mill Creek and UNT to Little Toby Creek. Application received: February 28, 2005. Application returned: October 30, 2006.

**6790-33050101-E-1. Jurassic Energy, Inc.** (P. O. Box 450, Bigler, PA 16825). Application for a Stream Encroachment to mine through UNTs to Little Toby Creek in Snyder Township, **Jefferson County**. Receiving streams: UNT to Mill Creek and UNT to Little Toby Creek. Application received: February 28, 2005. Application returned: October 30, 2006.

**6790-33050101-E-1. Jurassic Energy, Inc.** (P. O. Box 450, Bigler, PA 16825). Application for a Stream Encroachment to mine through UNTs to Mill Creek in Snyder Township, **Jefferson County**. Receiving streams: UNT to Mill Creek and UNT to Little Toby Creek. Application received: February 28, 2005. Application returned: October 30, 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.

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

**14060302 and NPDES No. PA0256447. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16803). Commencement, operation and restoration of a large, noncoal (limestone) surface mine, located in Spring Township, **Centre County**, affecting 23.3 acres. Receiving stream: Logan Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 10, 2006.

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

**40960302C2 and NPDES Permit No. PA0223671. Hanover Nursery** (5 Crystal Street, Wilkes-Barre, PA 18702). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Plymouth Township, **Luzerne County**, receiving stream: Susquehanna River, classified for the following use: CWF. Application received: October 26, 2006.

**39992801. Delaware Valley Landscape Stone, Inc.** (P. O. Box 778, Route 202, New Hope, PA 18938). Stages I and II bond release from a quarry operation in Lynn Township, **Lehigh County** affecting 6.0 acres on property owned Steve and Meredith Prang. Application received: October 30, 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.*

**E45-496. Sanofi Pasteur, Inc.**, Discover Drive, Route 611, P. O. Box 187, Swiftwater, PA 18370, in Pocono Township, **Monroe County**, United States. Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with Sanofi Pasteur's wastewater treatment plant expansion:

1. To construct and maintain a prefabricated metal pedestrian bridge across Swiftwater Creek (HQ-CWF) having a 77-foot span and a 9.6-foot underclearance. The bridge crossing includes supports for overhead utilities.

2. To construct and maintain a utility line crossing of Swiftwater Creek (HQ-CWF) consisting of electrical conduits and various wastewater processing and effluent pipes, all attached to the pedestrian bridge.

3. To construct and maintain an above-ground utility line crossing of approximately 60 feet of PFO wetlands consisting of electrical conduits and various wastewater processing and effluent pipes.

4. To construct and maintain an outfall diffuser structure in Swiftwater Creek (HQ-CWF) and associated piping across approximately 60 feet of adjacent PFO wetlands.

The project is located on the south side of lower Swiftwater Road (SR 0314) approximately 0.4 mile east of SR 0611. (Mount Pocono, PA Quadrangle N: 17.0 inches; W: 9.8 inches).

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

**E50-237. Amos Esh**, 7034 Raccoon Valley Road, Millerstown, PA 17062, ACOE Baltimore District.

To construct and maintain a 14.0-foot long single span bridge having a normal span of 20.0 feet and an underclearance of 3.0 feet across Raccoon Creek (CWF) located North of Route 17, approximately 1-mile West of School No. 4 (Ickesburg, PA Quadrangle N: 8.69 inches; W: 8.69; Latitude: 40° 29' 00", Longitude: 77° 18' 45") in Tuscarora Township, **Perry County**.

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

**E14-497. John B. Gible**, 6737 Tollgate Road, Zionsville, PA 18092. Water Obstruction and Encroachment Joint Permit Application, in Boggs Township, **Centre County**, ACOE Susquehanna River Basin District (Snow Shoe, PA Quadrangle N: 41° 1' 23.3"; W: 77° 46' 42").

To construct and maintain a 12-foot long culvert having a diameter of 5-feet in Haunted Gap Run, along Richner Hollow Road 0.25 mile north of the intersection with SR 1002. This project proposes to permanently impact 12 linear feet of Haunted Gap Run, which is, designated a CWF stream and does not propose to impact any jurisdictional wetlands.

**E17-424. Department of Transportation, Engineering District 2-0**, 1924 Daisy Street Extension, Clearfield, PA 16830. Water Obstruction and Encroachment Joint Permit Application in Morris Township, **Clearfield County**, ACOE, Susquehanna River Basin District (Philipsburg, PA Quadrangle N: 10.1 inches; W: 10.4 inches).

To remove five existing 36-inch diameter culverts, and to construct and maintain a concrete box culvert with a span of 21.0 feet, and an under clearance of 4.0 feet on a skew of 90° over Hawk Run (CWF). The project is located along SR 1009, Segment 30 Offset 1577, in Morris Township, Clearfield County.

**E59-480. Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. Water Obstruction and Encroachment Joint Permit Application in Westfield Township, **Tioga County**, ACOE, Susquehanna River Basin District (Pillow, PA Quadrangle N: 10.3 inches; W: 0.35 inch).

To remove an existing reinforced concrete slab bridge having a span of 18-feet and an under clearance 7.7 feet and to construct and maintain a 18-foot long by 8.5 foot high concrete box culvert on a skew of 70.69° over Purple Brook (WWF). The project is located along SR 0049 approximately 23 miles west of intersection with SR 0015 in Westfield Township, Tioga County.

**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.

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

**E02-1226. Lincoln Property Company**, 35 Highland Drive, Suite 1104, Bethel Park, PA 15102. To construct a dock in the City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District. (Pittsburgh East, PA Quadrangle N: 13.4 inches; W: 16.5 inches and Latitude: 40° 26' 56"—Longitude: 79° 59' 37"). To reissue and extend the time on Permit No. E02-1226 that authorized the applicant to construct and maintain a gangway, walkway, steps, and observation deck and a 679.2 foot long by 109.0 foot wide (as measured from the low water mark) floating boat docking facility in the channel of and along the right bank of the Allegheny River (WWF) for the purpose of providing docking spaces for the tenants of the Lincoln at North Shore Apartments. The project is located just upstream from the Ninth Street Bridge.

**E26-340. Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106**. To construct a bridge and impact wetlands in Redstone and Luzerne Townships, **Fayette County**, Pittsburgh ACOE District. (Carmichaels and New Salem, PA Quadrangles N: 21.8 inches; W: 16.8 inches and Latitude: 39° 59' 46"—Longitude: 79° 52' 06"). The applicant proposes to construct and maintain the following:

1. A 147-foot long placement of fill in a UNT to Dunlap Creek (WWF) located at SR 43, Station 596 + 79 to 597 + 93, (Latitude: 39° 59' 46"; Longitude: 79° 52' 06"; and New Salem, PA Quadrangle N: 21.8 inches; W: 16.8 inches).

2. A 127-foot long placement of fill in a UNT to Dunlap Creek (WWF) located at SR 43, Station 597 + 01 to 598 + 20, (Latitude: 39° 59' 45" Longitude: 79° 52' 07"; and New Salem, PA Quadrangle N: 21.85 inches; W: 16.8 inches).

3. A 428-foot long, 48-inch RC pipe stream enclosure in a UNT to Dunlap Creek (WWF) located at SR 43 Station 614 + 67 to 617 + 65, (Latitude: 39° 59' 48"; Longitude: 79° 52' 29"; and New Salem, PA Quadrangle N: 21.8 inches; W: 17.35 inches). This structure includes a temporary stream crossing and a temporary stream relocation of said stream.

4. 64-foot long, 60-inch RC pipe stream enclosure which is depressed 6 inches in an UNT to Dunlap Creek (WWF) located at Relocated Simpson Road Station 10 + 85, (Latitude: 39° 59' 37"; Longitude: 79° 52' 26"; and New Salem, PA Quadrangle N: 21.7 inches; W: 17.35 inches). This structure includes a temporary stream crossing and a temporary stream relocation of said stream.

5. A 310-foot long, 54-inch RC pipe stream enclosure in a UNT to Dunlap Creek (WWF) located at SR 43 Station 613 + 78 to 614 + 59, (Latitude: 39° 59' 49"; Longitude: 79° 52' 32", and New Salem, PA Quadrangle N: 21.9 inches; W: 17.3 inches). This structure includes a temporary stream crossing and a temporary stream relocation of said stream.

6. A 6-span bridge on the south bound of SR 43 across Dunlap Creek and having spans of 230 feet, 285 feet, 285 feet, 285 feet, 285 feet and 240 feet Station SR 43 690 + 00 (Latitude: 39° 59' 37"; Longitude: 79° 53' 58"; and Carmichaels, PA Quadrangle N: 21.4-inches; W: 3.6-inches). This structure includes a temporary stream crossing of said stream.

7. A 6-span bridge on the north bound of SR 43 across Dunlap Creek and having spans of 200 feet, 245 feet, 245 feet, 245 feet, 285 feet, and 255 feet Station SR 43 690+00 (Latitude: 39° 59' 37"; Longitude: 79° 53' 58"; and Carmichaels, PA Quadrangle N: 21.4 inches; W: 3.6 inches). This structure includes a temporary stream crossing of said stream.

8. Fill and maintain 0.064 acre of PEM/POW wetlands. Except for items 6 and 7 all drainage areas are less than 100 acres.

**E56-341. Department of Transportation, Engineering District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648. To construct a bridge in Black and Milford Townships, **Somerset County**, Pittsburgh ACOE District. (Murdock, PA Quadrangle N: 13.4 inches; W: 15.2 inches and Latitude: 39° 56' 55"—Longitude: 79° 06' 32"). The applicant proposes to construct and maintain a 35.38 ft. wide, 73.25 ft. long single span bridge with an underclearance of 9.68 ft. to replace the existing SR 3010, 26 ft. wide, 68.85 ft. long, single span bridge with an underclearance of 9.68 ft. over Coxes Creek (WWF) with a drainage area of 47.45 square miles; fill and maintain 0.05 acre of adjacent wetlands along the eastern bridge approach road; and relocate 100 ft. of UNT

along the eastern bridge approach road. The project is located approximately 3.5 miles northeast of the center of the Borough of Rockwood, Somerset County.

#### ENVIRONMENTAL ASSESSMENTS

*Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

**EA1009-007. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931.** Abandoned Mine Land Reclamation Project, in Allegheny Township, **Butler County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 1,500 linear feet of dangerous highwall. The project will include the backfilling of 0.15 acre of PEM wetland and 0.28 acre of open water that have developed within the open surface mine pit. (Eau Claire Quadrangle N: 0 inch, W: 2.7 inches).

**EA0409-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931.** Abandoned Mine Land Reclamation Project, in Darlington Township, **Beaver County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 6,100 linear feet of dangerous highwall. The project will include the backfilling of 0.21 acre of PEM wetland that has developed within the open surface mine pit. (New Galilee Quadrangle N: 13.5 inches, W: 6.1 inches).

## ACTIONS

### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

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

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

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

### I. NPDES Renewal Permit Actions

*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>
PA0088277 (SEW)	Test Enterprises, Inc. 1235 Abbottstown Pike Hanover, PA 17331	Adams County Berwick Township	UNT Beaver Creek 7-F	Y
PA0081434 (SEW)	Irvin Peifer Countryside Mobile Home Park P. O. Box 506 Elizabethtown, PA 17022	York County North Codorus Township	UNT South Branch Codorus Creek 7-H	Y
PA0088579 (SEW)	Craig Wood Felton Borough 88 Main Street Felton, PA 17322	York County Felton Borough	North Branch Muddy Creek 7-I	Y
PA0080616 (SEW)	David Rimmel Rife Road Associates 20 Erford Road, Suite 215 Lemoyne, PA 17043	Adams County Reading Township	Conewago Creek 7-F	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>
PA0096512 Sewage	Mt. Morris Water and Sewage Authority P. O. Box 340 Mt. Morris, PA 15349	Greene County Perry Township	Dunkard Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0100056	Rose Point Park Campground 314 Rose Point Road New Castle, PA 16101-9310	Slippery Rock Township Lawrence County	UNT to Slippery Rock Creek 20-C	Y
PA0091341	Moniteau School District Moniteau Jr./Sr. High School 1810 West Sunbury Road West Sunbury, PA 16061	Cherry Township Butler County	Glade Run Dam Lake (South Branch Slippery Rock Creek) 20-C	Y
PA0222674	McKean Township Sewer Authority P. O. Box 88 McKean, PA 16426	McKean Township Erie County	Elk Creek 15-EC	Y

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

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

**NPDES Permit No. PA0043818, Amendment No. 1, Industrial Waste, G.R.O.W.S. Landfill, Waste Management Disposal Services of Pennsylvania, Inc.** 1121 Bordentown Road, Morrisville, PA 19067. This proposed facility is located in Falls Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the amendment to revise effluent limitations of Boron, TDS and Chromium based on the site specific Best Available Technology (BAT) study for their discharge of landfill leachate to the Delaware Estuary Zone 2 in Watershed 2E.

**NPDES Permit No. PA0056481**, Sewage, **Oak Grove Country Inn**, 6755 Easton Road, Pipersville, PA 18947. This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage to a swale to a UNT to Cabin Run in Watershed 2D.

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

**NPDES Permit No. PA0040274-A2**, Industrial Waste, **Allegheny Ludlum Corporation**, 100 River Road, Brackenridge, PA 15014. This proposed facility is located in Vandergrift Borough, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for authorization to discharge from a facility located at the Vandergrift Plant to receiving waters of the Kiskiminetas River.

**NPDES Permit No. PA0025950**, Sewage, **Municipal Authority of the City of Monongahela**, 521 West Main Street, Monongahela, PA 15063. This proposed facility is located in the City of Monongahela, **Washington County**.

Description of Proposed Action/Activity: Permit amendment issuance.

**NPDES Permit No. PA0253367**, Sewage, **Christian Youth Crusade**, 293 Rich Road, Somerset, PA 15501. This proposed facility is located in Milford and Somerset Townships, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance for the construction of 10,000 gpd sewage treatment facility.

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

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

**WQM Permit No. 0606406**, Sewerage, **Amity Township**, 2004 Weavertown Road, Douglassville, PA 19518. This proposed facility is located in Amity Township, **Berks County**.

Description of Proposed Action/Activity: Approval for the construction/operation of the Weavertown Road Pump Station.

**WQM Permit No. 2186430, Amendment 04-1**, Sewerage, **Betty P. Nelson, Nelson Mobile Home Park**, 16 Betty Nelson Court, Carlisle, PA 17013. This proposed facility is located in Lower Frankford Township, **Cumberland County**.

Description of Proposed Action/Activity: Amendment approves the modification/operation of sewerage facilities consisting of the installation of an Aqua-Aerobic Systems AquaMiniDisk cloth media Filter to reduce TSS (Algae) and enclose equipment in a structure.

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

**WQM Permit No. WQG016132**, Sewerage, **Louis Dell'Aquila**, 220 Camp Meeting Road, Sewickley, PA 15143. This proposed facility is located in Sewickley Heights Borough, **Allegheny County**.

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

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

**WQM Permit No. WQG018499**, Sewerage, **John Meyers**, 187 Baudermill Road, Harmony, PA 16037. This proposed facility is located in Muddycreek Township, **Butler County**.

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

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

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

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

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI025205010	Woodloch Pines, Inc. R. R. 1, Box 280 Hawley, PA 18428	Pike	Lackawaxen Township	West Falls Creek HQ-CWF, MF

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI030606002	Forino Company, LP 555 Mountain Home Road Sinking Spring, PA 19608	Berks	Sinking Spring Borough	Wyomissing Creek HQ-CWF



*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030606007	Greth Development P. O. Box 305 Temple, PA 19560	Berks	Robeson Township	Hay Creek EV

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

*Clearfield County Conservation District: 650 Leonard Street, Clearfield, PA 16830, (814) 765-2629.*

*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAR101772-R	River's Bend Properties, LP 2001 Pleasant Lane Clearfield, PA 16830	Clearfield	Lawrence Township	West Branch of Susquehanna River

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

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

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

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

*General Permit Type—PAG-2**Facility Location:*

<i>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>
Smithfield Township Monroe County	PAG2004506004	Mt. Tom Road Properties, LLC c/o Robert G. Brown 1123 Filmore St. East Stroudsburg, PA 18301	Tributary to Sambo Creek CWF, MF	Monroe Co. Cons. Dist. (570) 629-3060
Clarks Summit Borough Lackawanna County	PAG2003506030	Joseph Coviello 1104 West Grove St. Clarks Summit, PA 18411	Tributary to Summit Lake Creek TSF	Lackawanna Co. Cons. Dist. (570) 281-9495
East Allen Township Northampton County	PAG2004806041	First Regional Compost Auth. Attn: Ilene Eckhart 4714 Indian Trail Rd. Northampton, PA 18067	Catasauqua Creek CWF	Northampton Co. Cons. Dist. (610) 746-1971
East Stroudsburg Borough Monroe County	PAR10S029R(7)	East Stroudsburg University 200 Prospect St. East Stroudsburg, PA 18301	Brodhead Creek TSF, MF	Monroe Co. Cons. Dist. (570) 629-3060

NOTICES

7061

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name & Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Silver Spring,  
Cumberland County

PAG2002106036

Route 11 Access Drive  
114 Associates  
Norman Hoffer  
110 Sunset Avenue  
Harrisburg, PA 17111

Hogestown Run  
CWF

Cumberland County  
Conservation District  
43 Brookwood Ave.  
Carlisle, PA 17013  
(717) 240-7812

West Hanover  
Township  
Dauphin County

PAG2002206058

Brent Stoltzfus  
474 Mt. Sydney Rd.  
Lancaster, PA 17601

Manada Creek  
WWF

Dauphin County  
Conservation District  
1451 Peters  
Mountain Rd.  
Dauphin, PA 17018

Wayne Township  
Dauphin County

PAG2002206047

Ismail Farhat  
2390 Powells Valley Road  
Halifax, PA 17032

Powells Creek  
TSF

Dauphin County  
Conservation District  
1451 Peters  
Mountain Rd.  
Dauphin, PA 17018

Bradford County  
Athens Township

PAG2000806008

John J. DeSisti  
DeSisti Properties  
P. O. Box R  
Sayre, PA 18840

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  
Patton Township

PAG2001406021

Paul David Cowan  
Fulton Financial Corporation  
One Penn Square  
Lancaster, PA 17601

UNT to Big Hollow  
CWF

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

Montour County  
Valley Township

PAG2004706011

James Paugh  
120 Blue Springs  
Danville, PA 17821

UNT to Mahoning  
Creek  
CWF

Montour County  
Conservation District  
112 Woodbine Lane,  
Suite 2  
Danville, PA 17821  
(570) 271-1140

Fayette County  
Fairchance Borough  
Georges Township

PAG2002606024

Albert Gallatin School District  
2625 Morgantown Road  
Uniontown, PA 15401

Georges Creek  
(WWF)

Fayette County CD  
(724) 438-4497

*General Permit Type—PAG-3*

*Facility Location &  
Municipality*

*Permit No.*

*Applicant Name & Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

York County  
Spring Garden  
Township

PAR143522

Yorktowne Paperboard Company  
P. O. Box 2426  
York, PA 17405

Mill Creek  
WWF/7-H

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

Dauphin County  
Washington Township

PAR203522

RiteScreen Company, Inc.  
P. O. Box 4490  
Clearwater, FL 33758-4490

UNT to Wiconisco  
Creek  
WWF/6-C

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

Dauphin County  
Upper Paxton  
Township

PAR203595

MI Metals Inc./ProPlastix  
International, Inc.  
P. O. Box 4490  
Clearwater, FL 33758-4490

UNT Wiconisco  
Creek  
WWF/6-C

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

Rome Township  
Crawford County

PAR228331

Coastal Lumber Company  
P. O. Box 829  
Weldon, NC 27890-0829

UNT to Oil Creek

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

*General Permit Type—PAG-4**Facility Location  
County &  
Municipality*Allegheny County  
Sewickley Heights  
Borough*Permit No.*  
PAG046332*Applicant Name & Address*  
Louis Dell'Aquila  
220 Camp Meeting Road  
Sewickley, PA 15143*Receiving  
Water/Use*  
UNT of Ohio River*Contact Office &  
Phone No.*  
Southwest  
Regional Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
(412) 442-4000Muddycreek  
Township  
Butler County

PAG049291

John Meyers  
187 Baudermill Road  
Harmony, PA 16037Camp Run Creek  
20-CDEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
(814) 332-6942Cussewago Township  
Crawford County

PAG048444

Eugene F. Jr. and Leslie K.  
Soltesz  
19525 Bear Road  
Venango, PA 16440UNT to French  
Creek  
16-ADEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
(814) 332-6942*General Permit Type—PAG-9**Facility Location &  
County/Municipality*Bullskin Township  
Fayette County*Permit No.*  
PAG096107*Applicant Name & Address*  
Top Septic Tank Service, Inc.  
123 Zelmore Road  
Mt. Pleasant, PA 15666*Site Name &  
Location*  
Top Septic Tank  
Service, Inc.*Contact Office &  
Phone No.*  
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. 2520207**, Public Water Supply.

Applicant	<b>Mountain Lake Water Co., LLC</b> Palmyra Township, <b>Pike County</b>
Responsible Official	Bonnie Cabel-Rotella Mountain Lake Water Co., LLC P. O. Box 551 Tafton, PA 18464
Type of Facility	PWS
Consulting Engineer	N/A

Permit Issue Date 10/30/06  
 Description of Action Transfer and operation of PWS facilities constructed under PWS Permit No. 5294501 issued on 10/14/97

**Permit No. 1306501**, Public Water Supply.  
 Applicant **Lehighon Water Authority**  
 Franklin Township, **Carbon County**

Responsible Official David Harleman, Chairperson  
 Lehighon Water Authority  
 Box 29, Municipal Building  
 Lehighon, PA 18235

Type of Facility PWS

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

Permit Issue Date 10/26/06

Description of Action This PWS permit was issued to the Lehighon Water Authority for two alternative modifications to increase backwash capability at their Water Treatment Plant. Alternative 1 is to replace the existing backwash pumps with units of higher capacity and Alternative 2 is for pump discharge piping modifications at the Lehighon Water Treatment Plant. Only one alternative may be installed.

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

**Permit No. 0106513 MA, Minor Amendment**, Public Water Supply.

Applicant **Gettysburg Municipal Authority**

Municipality Cumberland Township

County **Adams**

Type of Facility Location change of previously permitted Herr's Ridge Road Booster Pump Station.

Consulting Engineer Diana Young, P. E.  
 Buchart-Horn, Inc.  
 P. O. Box 15040  
 York, PA 17405-7040

Permit to Construct Issued: 11/2/2006

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

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

Applicant **BCI Municipal Authority**

Township or Borough Beccaria Township

County **Clearfield**

Responsible Official Steven G. Fletcher  
 BCI Municipal Authority  
 Cressview Street  
 P. O. Box 388  
 Irvona, PA 16656

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date November 2, 2006

Description of Action Operation of the recently upgraded Booster Pump Station No. 2, including new booster pumps and hydropneumatic tanks, and 13,565 LF of 6-inch diameter distribution lines in the Lyleville Area.

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

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

Applicant **North Warren Municipal Authority**

Township or Borough Conewango Township

County **Warren**

Type of Facility Public Water Supply

Permit to Construct Issued 11/01/2006

**Operations Permit** issued to **Aqua Pennsylvania Oakland Beach Division**, PWS ID 6200017, Sadsbury Township, **Crawford County**. Permit No. 368W001-T2-MA2, issued November 2, 2006, for the operation of the liquid chlorination facility for disinfection as permitted under construction permit issued July 12, 2006.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

##### Plan Location:

Borough or Township	Borough or Township Address	County
West Hanover Township	7171 Allentown Blvd. Harrisburg, PA 17112	Dauphin

*Plan Description:* The approved plan provides for the extension of public sewers to the Short Street and Houck Manor areas within 5 years and the Holiday Park area within 10 years. For the Holiday Park area, the Plan also provides for an inspection of all onlot sewage disposal systems by the Sewage Enforcement Officer and the submission of a report presenting the findings of the inspection program. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Delta Borough	101 College Avenue Delta, PA 17314	York

*Plan Description:* The approved plan provides for the upgrade and expansion of the Delta Borough wastewater treatment facility from its current capacity of 0.24 mgd to the proposed capacity of 0.48 mgd and acknowledges the nutrient discharge restrictions imposed by Pennsylvania's Chesapeake Bay Tributary Strategy. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lurgan Township	8650 McClays Mill Road Newburg PA 17240	Franklin County

*Plan Description:* The approved plan, in the name of David Flaud, provides for a Small Flow Treatment Facility to serve one residential dwelling with sewage flows of 400 gallons per day. The project is located on the west side of Burnt Mill Road 4,000 feet southwest of Newburg Road. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant.

## 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 analy-

sis. 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:

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

**Lewistown Armory**, Derry Township, **Mifflin County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Department of Military and Veterans Affairs, Environmental Section, Building 11-19, Fort Indiantown Gap, Annville, PA 17003-5002, submitted a Final Report concerning remediation of site soils and groundwater contaminated with unleaded and leaded gasoline leaked during UST removal. The report is intended to document remediation of the site to the residential Statewide Health Standard. The property is a former PA National Guard facility and the intended future use is either residential or nonresidential purposes.

**Former Super Rite Facility**, Hampden Township, **Cumberland County**. ARCADIS G & M, Inc., 6 Terry Drive, Suite 300, Newton, PA 18940, on behalf of First Industrial Realty Trust, 311 South Wacker Drive, Suite 4000, Chicago, IL 60606, submitted a combined remedial investigation and final report concerning remediation of site groundwater contaminated from nonregulated unleaded gasoline USTs. The report is intended to document remediation of the site to the Site-Specific Standard. The property is nonresidential.

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

**Dominion Transmission, Inc.—Sabinsville Compressor Station**, Clymer Township, **Tioga County**. Groundwater & Environmental Services, Inc., 800 Commonwealth Drive, Suite 201, Warrendale, PA 15086 on behalf of Dominion Resources Services, Inc., 1201 Pitt Street, Pittsburgh, PA 15221 has submitted a Final Report concerning remediation of soil and groundwater contaminated with VOCs and metals. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**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 Final Report to remediate soil and groundwater contaminated with polynuclear aromatic hydrocarbons, primarily naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Caparo Steel Company AOC—12 Former Central Fuel Storage Area**, City of Farrell/City of Sharon **Merger County**. Environmental Management Associates, LLC on behalf of Caparo Steel Company, c/o Duferco Farrell Corp has submitted a Statewide Health Standard Final Report concerning remediation of site soils contaminated with No. 6 Fuel Oil, PPL VOCs and PPL SVOCs. The report is intended to document remediation of the site to meet the Statewide Health Standard and was received by the Department on October 26, 2006.

## 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:

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

**Your Building Centers, Former Champion Parts, Inc.**, Beech Creek Township, **Clinton County**. Conestoga-Rovers & Associates, 559 West Uwehlan Ave., Suite 120, Exton, PA 19341 on behalf of Champion Parts, Inc., 2500 West Avenue B, Hope, AZ 16822 has submitted a Remedial Investigation Report and Risk Assessment concerning remediation of site soil and groundwater contaminated with trichloroethene, 1,1-dichloroethene, cis-1,2-dichloroethene, tetrachloroethene and vinyl chloride. The report was approved on October 27, 2006.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 301320 UNP. Howe's Leather Corporation**, 50 Cooper Road, Curwensville, PA 16833-0057, located in Curwensville Borough, **Clearfield County**. Modified closure plan for a clean closure of the residual waste disposal impoundment was approved on November 3, 2006.

Persons interested in reviewing the closure plan may contact David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, Telephone (570) 327-3653. TDD users may contact the Department of Environmental Protection 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.**

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

**GP3-21-03075: H. B. Mellott Estate, Inc.** (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) on November 2, 2006, for Portable Nonmetalic Mineral Processing Plants under GP3 in Penn Township, **Cumberland County**.

**GP11-21-03075: H. B. Mellott Estate, Inc.** (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) on November 2, 2006, for Nonroad Engines under GP11 in Penn Township, **Cumberland County**.

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

**GP3-14-09: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 5, 2006, to construct and operate a portable nonmetallic mineral processing plant and associated air cleaning device (a water spray dust suppression system) under the General Plan Approval And/Or General Operating Permit for Portable Nonmetallic Mineral Processing Plants at the Fieldstone Construction Site in Harris Township, **Centre County**.

**GP11-14-01: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 5, 2006, to construct and operate a 425 horsepower diesel engine under the General Plan Approval And/Or General Operating Permit for Nonroad Engines at the Fieldstone Construction Site in Harris Township, **Centre County**.

**GP5-17-025: Ardent Resources, Inc.** (61 McMurray Road, Suite 204, Pittsburgh, PA 15241) on October 24, 2006, to construct and operate a 384 horsepower natural gas-fired reciprocating internal combustion compressor engine under the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities in Irvona Borough, **Clearfield County**.

**GP5-14-01E: NCL Natural Resources, LLC** (25231 Grogan's Mill Road, Suite 500, The Woodlands, TX 77380) on October 24, 2006, to install an air cleaning device (a catalytic converter) on a 738 horsepower natural gas-fired reciprocating internal combustion compressor engine and to operate the respective engine, as well as for the operation of an 814 horsepower natural gas-fired reciprocating internal combustion compressor engine, a 100 horsepower natural gas-fired reciprocating internal combustion compressor engine and associated air cleaning device (a catalytic converter) and a 500 horsepower natural gas-fired reciprocating internal combustion compressor engine and associated air cleaning device (a catalytic converter) under the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities at the DeHass Road facility in Curtin Township, **Centre County**.

**GP5-17-19: EOG Resources, Inc.** (R. D. 1, Box 373, Mahaffey, PA 15757) on October 31, 2006, to operate a 1265 horsepower natural gas-fired reciprocating internal combustion compressor engine and a glycol dehydrator and associated air cleaning device under the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities at the A. Irvin Compressor Site in Bell Township, **Clearfield County**.

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**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.**

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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.*

**09-0031: Eureka Stone Quarry Inc.—Rush Vly 1** (911 Swamp Road, Rushland, PA 18956) on November 3, 2006, to operate a replacement asphalt plant in Wrightstown Township, **Bucks County**.

**46-0031C: SmithKline Beecham Corp. d/b/a GlaxoSmithKline** (1250 South Collegeville Road, Collegeville, PA 19426) on November 3, 2006, to operate two new scrubbers in Upper Providence Township, **Montgomery County**.

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

**01-02009A: Department of Defense** (201 Beasley Drive, Suite 100, Fort Detrick, MD 21702-5029) on October 31, 2006, for approval of a Reasonably Available Control Technology Plan and proposal to revise the State Implementation Plan for the Department of Defense's Raven Rock Mountain Complex—Site R in Liberty Township, **Adams County**.

**36-05115A: MGS, Inc.** (178 Muddy Creek Church Road, Denver, PA 17517-9328) on October 31, 2006, to construct a new in-line surface coating and curing system in East Cocalico Township, **Lancaster County**.

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

**41-320-002: Webb Communications** (1 Maynard Street, Williamsport, PA 17701) on October 3, 2006, to construct four heatset web offset lithographic printing presses and to install an air cleaning device (a regenerative thermal oxidizer) on two existing heatset web offset lithographic printing presses as well as the four new presses in the City of Williamsport, **Lycoming County**.

**49-00020B: Truck Accessories Group d/b/a Leer East** (3560 Housels Run Road, Milton, PA 17847) on October 19, 2006, to construct a mold maintenance area, a wet-out reinforcement area, a secondary lamination area, a base rail lamination area, a truck cap tonneau cover headliner adhesive process, fiberglass reinforced plastic truck cap and tonneau cover assembly and final finish operations, an aluminum welding operation and an aluminum truck cap assembly, final finish and installation operation in a fiberglass and aluminum truck cap and tonneau cover manufacturing facility in Milton Borough, **Northumberland County**.

**41-327-003A: PMF Industries, Inc.** (2601 Reach Road, Williamsport, PA 17701) on October 31, 2006, to modify a batch vapor degreaser by increasing the maximum amount of trichloroethylene, a HAP, the degreaser is allowed to emit from 9.99 tons in any 12 consecutive month period to 13.0 tons in any 12 consecutive month period in the City of Williamsport, **Lycoming County**.

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**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.**

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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.*

**46-0011D: ISG Plate, LLC** (900 Conshohocken Road, Conshohocken, PA 19428) on November 2, 2006, to operate a filter dust collector in Plymouth Township, **Montgomery County**.

**46-317-005E: Moyer Packing Co.** (P. O. Box 395, Souderton, PA 18964) on October 30, 2006, to operate various rendering equipment and scrubber in Franconia Township, **Montgomery County**.

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

**01-05029: Reliant Energy Wholesale Generation, LLC** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on October 26, 2006, to construct a natural gas fired electric generating facility at their Hunterstown Station in Straban Township, **Adams County**. This plan approval was extended.

**22-05007B: The Harrisburg Authority** (One Keystone Plaza, Suite 104, Harrisburg, PA 17101) on October 27, 2006, to construct the Harrisburg Materials, Energy, Recycling and Recovery Facility, 1670 South 19th Street in the City of Harrisburg, **Dauphin County**. This plan approval was extended.

**36-03152: Wengers Feed Mill, Inc.** (101 West Harrisburg Pike, Rheems, PA 17570) on October 14, 2006, for construction of a soybean processing facility in West Donegal Township, **Lancaster County**. This plan approval was extended.

**67-02004: P. H. Glatfelter Co.** (228 South Main Street, Spring Grove, PA 17362) on October 28, 2006, to operate three power boilers controlled by an electrostatic precipitator, a lime calciner controlled by a Venturi scrubber and a softwood fiber line and causticizing area to be controlled by a regenerative thermal oxidizer in Spring Grove Borough, **York County**. This plan approval was extended.

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

**41-320-002: Webb Communications** (One Maynard Street, Williamsport, PA 17701) on October 30, 2006, to increase the maximum allowable VOC content of the black ink used in several heatset web offset lithographic printing presses from 20%, by weight, to 38%, by weight, in the City of Williamsport, **Lycoming County**.

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

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

**09-00013: Wheelabrator Falls, Inc.** (1201 New Ford Mill Road, Morrisville, PA 19067) on November 3, 2006, to renew their Title V Operating Permit in Falls Township, **Bucks County**. The renewal Title V operating permit will contain additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. No changes have taken place at the facility since the previous permit was amended and issued on 11-21-2003. The facility is not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Muhammad Zaman, Facilities Permitting Chief, (570) 327-3637.*

**19-00006: Del Monte Corp.** (6670 Low Street, Bloomsburg, PA 17815) on October 10, 2006, to operate a pet food manufacturing facility in South Centre Township, **Columbia County**. This is a renewal.

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**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.**

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

**06-03005: Rohm and Haas Chemicals LLC** (150 Columbia Street, P. O. Box 15209, Reading, PA 19612-5209) on October 31, 2006, for a thermo-plastic powder manufacturing facility in the City of Reading, **Berks County**. This is a renewal of the State-only operating permit.

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

**32-00349: Amfire Mining Co., LLC** (One Energy Place, Latrobe, PA 15650) on October 30, 2006, for a State-only operating permit to operate the I-22 Coal Processing Yard in Burrell Township, **Indiana County**.

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

**S04-018: National Publishing Company** (11311 Roosevelt Blvd., Philadelphia, PA 19154) on October 31, 2006, to operate a printing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include includes 14 0.5 mmBtu/hr natural gas fired space heaters, three lithographic presses and less 8 mmBtu/hr natural gas fired dryers, and a 1.75 mmBtu/hr natural gas fired thermal oxidizer.

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**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.**

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

**46-00041: Bluegrass Folding Carton Company, LLC** (1035 Longford Road, Phoenixville, PA 19460) on November 3, 2006, the Title V Operating Permit was issued as an Administrative Amendment for a Change of Ownership of the facility formerly owned by Smurfit-Stone Container Enterprises, Inc. (previous Tax ID 36-2041256), to new owner Bluegrass Folding Carton Company, LLC (new Tax ID 20-5002721) in Upper Providence Township, **Montgomery County**. The facility's major emission points include printing presses containing VOCs and HAPs. The responsible official has also been updated. The Administrative Amendment of the Title V Operating Permit was issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amended Title V Operating Permit did not change and contains all of the applicable regulatory requirements including monitoring recordkeeping, reporting and emission limits. The initial Title V Operating Permit was issued November 15, 2001.

**23-00075: Rhodia, Inc.** (Second and Blueball Avenue, P. O. Box 429, Marcus Hook, PA 19061) on November 3, 2006, an Administrative Amendment of the State-only Operating Permit (Natural Minor) issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450 in Marcus Hook Borough, **Delaware**



**County.** The amendment incorporates terms and conditions agreed upon in response to company comments received prior to final issuance of the initial permit. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

**67-05007: Adhesives Research, Inc.** (P. O. Box 100, Glen Rock, PA 17327-0100) on November 3, 2006, to modify their adhesive coating facility in Springfield Township, **York County**. This Title V operating permit was administratively amended to incorporate Plan Approval 67-05007A. This is revision No. 1.

## 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.*

**32961302 and NPDES Permit No. PA0214949. AMFIRE Mining Company** (One Energy Place, Latrobe, PA 15650). To revise the permit for the Ondo Mine in Brush Valley and Center Townships, **Indiana County** to install two treatment ponds and equipment storage area. Surface Acres Proposed 3.9. No additional discharges. Application received: March 23, 2006. Permit issued: November 2, 2006.

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

**56960106 and NPDES No. PA0234192. AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650). Permit renewal for reclamation only of a bituminous surface mine in Lincoln Township, **Somerset County**, affecting 351.6 acres. Receiving streams: North Branch Quemahoning Creek and Horner Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: September 5, 2006. Permit issued: November 1, 2006.

**56860101. PA0597546, Croner, Inc.** (P. O. Box 260, Friedens, PA 15541). Permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting

156.8 acres. Receiving stream: UNT to Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 24, 2006. Permit issued: October 30, 2006.

**56010101 and NPDES No. PA0248924. Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552-7228). Permit renewal for the continued operation and restoration of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 70.0 acres. Receiving streams: UNT to Casselman River and UNTs to Ellick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: July 3, 2006. Permit issued: October 31, 2006.

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

**30980101 and NPDES Permit No. PA02020304. Coresco, Inc.** (P. O. Box 1170, Morgantown, WV 26507). Permit revised to change the entire permit area postmining land use from forestland to pastureland at an existing bituminous surface mine located in Dunkard Township, **Greene County**, affecting 148.4 acres. Receiving streams: Crooked Run and UNTs to Dunkard Creek. Application received: July 7, 2006. Revised permit issued: November 2, 2006.

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

**33910107 and NPDES Permit No. PA0208469. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous strip and auger operation in Beaver Township, **Jefferson County** affecting 91.5 acres. This renewal is issued for reclamation only. Receiving streams: UNT to Red Run and UNT to Tarkiln Run. Application received: September 8, 2006. Permit Issued: October 31, 2006.

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

**17030115 and NPDES No. PA0243612. Hilltop Coal Company** (12 Dutchtown Road, Houtzdale, PA 16651), revision of an existing bituminous surface auger mine to add 13.6 acres in Bigler Township, **Clearfield County**, affecting 199.0 acres. Receiving streams: Japling Run, UNTs to Japling Run; UNT to Muddy Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 28, 2006. Permit issued: October 31, 2006.

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

**54841303R4. Tito Coal**, (118 Fairview Lane, Williamstown, PA 17098), renewal of an existing anthracite surface mine operation in Porter Township, **Schuylkill County** affecting 5.7 acres, receiving stream: none. Application received: January 17, 2006. Renewal issued: October 31, 2006.

**40663034R4. Pagnotti Enterprises, Inc.**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701). Renewal of an existing anthracite surface mine operation in Foster Township, **Luzerne County** affecting 360.0 acres, receiving stream: none. Application received February 16, 2006. Renewal issued: November 1, 2006.

*Noncoal Permits Actions*

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

**11060301 and NPDES No. PA0249955. Rollock Company** (156 Rollock Road, Stoystown, PA 15563). Commencement, operation and restoration of a large noncoal (industrial minerals) mine in East Taylor Township and City of Johnstown, **Cambria County**, affecting 70.0 acres. Receiving stream: Hinckston Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 24, 2006. Permit issued: October 30, 2006.

**Permit No. 56060801. Ramblin Hills** (1504 Hillside Avenue, Windber, PA 15963). commencement, operation and restoration of a small noncoal (industrial minerals) operation in Paint Township, **Somerset County**, affecting 3.0 acres. Receiving stream: UNT to Seese Run. Application received: August 24, 2006. Permit issued: October 31, 2006.

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

**42060804. Laurence T. Coole** (567 Bryant Hollow Road, Coudersport, PA 16915). Commencement, operation and restoration of a bluestone operation in Annin Township, **McKean County** affecting 3.3 acres. Receiving streams: Two Mile Creek. Application received: July 17, 2006. Permit Issued: October 31, 2006.

**25010302. A.C.A. Sand & Gravel, LLC** (19170 Rt. 89, P. O. Box 16, Corry, PA 16407). Transfer of an existing sand and gravel operation in Concord Township, **Erie County** affecting 121.0 acres. This permit was transferred from Rodger E. Niemeyer, Sr. Receiving streams: South Branch French Creek. Application received: June 12, 2006. Permit Issued: November 1, 2006.

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

**58060828. Eric Wheaton** (8533 Pine Circle, Charlotte, NC 28215). Commencement, operation and restoration of a quarry operation in Auburn Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: April 7, 2006. Permit issued: October 31, 2006.

**7475SM10A1C6 and NPDES Permit No. PA0123242. ESSROC Cement Corp.** (Route 248 and Easton Road, Nazareth, PA 18064). Renewal of NPDES Permit for discharge of treated mine drainage from quarry operation in Nazareth Borough and Upper Nazareth Township, **Northampton County**, receiving stream: UNT to East Branch of Monacacy Creek. Application received: September 13, 2006. Renewal issued: November 2, 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.*

**28064174. M & J Explosive, Inc.** (P. O. Box 608, Carlisle, PA 17013-0608). Blasting activity permit issued for cemetery development in Guilford Township,

**Franklin County.** Blasting activity permit end date is October 31, 2007. Permit issued: October 24, 2006.

**21064186. John W. Gleim, Jr., Inc.** (625 Hamilton Street, Carlisle, PA 17013-1925). Blasting activity permit issued for pipeline development in South Middleton Township and Carlisle Borough, **Cumberland County**. Blasting activity permit end date is April 15, 2007. Permit issued: October 27, 2006.

**21064187. J. Roys, Inc.** (P. O. Box 125, Bowmansville, PA 17507-0125). Blasting activity permit issued for utility development in Upper Allen Township, **Cumberland County**. Blasting activity permit end date is November 1, 2007. Permit issued: October 27, 2006.

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

**30064004. Mashuda Corporation** (21101 Route 19, Cranberry Township, PA 16066). Blasting activity permit for construction on Murtha Ave., Waynesburg located in Franklin Township, **Greene County**, with an expected duration of 60 days. Permit issued: November 3, 2006.

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

**24064006. Dirt Excavating** (792 W Songbird Road, Bradford, PA 16701). Blasting activity permit for gas and oil exploration in Highland Township, **Elk County**. This blasting activity permit will expire on November 2, 2007. Application received: October 30, 2006. Application Issued: November 2, 2006.

**27064008. Pennsylvania General Energy** (208 Liberty Street, Warren, PA 16365). Blasting activity permit for gas and oil exploration in Howe Township, **Forest County**. This blasting activity permit will expire on April 30, 2007. Application received: October 25, 2006. Application issued: November 2, 2006.

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

**53064003. Pennsylvania General Energy** (208 Liberty St., Warren, PA 16368). Construction blasting for Wharton Trench Project located in Wharton Township, **Potter County**. Application received: October 19, 2006. Permit expires on: December 31, 2006.

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

**22064005. Abel Construction Co., Inc.** (P. O. Box 476, Mountville, PA 17554). Construction blasting at Deer Run Phase V in Derry Township, **Dauphin County** with an expiration date of November 1, 2007. Permit issued: November 1, 2006.

**06064137. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507). Construction blasting for Stonehedge in Bern Township, **Berks County** with an expiration date of November 1, 2007. Permit issued: November 1, 2006.

**360141110. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543). Construction blasting for a single dwelling in Manor Township, **Lancaster County** with an expiration date of December 30, 2006. Permit issued: November 1, 2006.

**46064134. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092). Construction blasting for Northgate in Upper Hanover Township, **Montgomery County** with an expiration date of December 29, 2007. Permit issued: November 1, 2006.

**46064135. Allan A. Myers, Inc. d/b/a Independence Construction Materials** (P. O. Box 98, Worcester, PA 19490). Construction blasting for Biltmore Estates in Skippack Township, **Montgomery County** with an expiration date of October 30, 2007. Permit issued: November 1, 2006.

**46064136. Allan A. Myers, Inc. d/b/a Independence Construction Materials** (P. O. Box 98, Worcester, PA 19490). Construction blasting for Stoney Creek Farms in Worcester Township, **Montgomery County** with an expiration date of October 30, 2007. Permit issued: November 1, 2006.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).**

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

## WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E05-341: Department of Transportation, 1620 North Juniata Street, Hollidaysburg, PA 16648 East Saint Clair Township, Bedford County.**

To reconstruct and widen SR 0056, Section 12 in East Saint Clair Township, Bedford County for the purpose of improving traffic safety involving the following 105 impacts:

1. Removal of an existing 42-inch RCP and construction and maintenance of a 54-inch RCP depressed 6.0 inches with an instream length of 75.0 feet, including aprons, carrying SR 4028 over a UNT to Adams Run (WWF) at the intersection of SR 4028 and SR 0056 (Station 577+30) (Bedford, PA Quadrangle N: 22.2 inches; W: 11.1 inches; Latitude: 40° 07' 18.8"; Longitude: 78° 34' 45.4"). The pipe replacement qualifies for authorization under a General Permit No. 7.

2. Removal of an existing 48-inch RCP with an instream length of 50.0 feet and restoration and maintenance of an open channel within a UNT to Adams Run (WWF) immediately downstream of the proposed intersection of SR 4028 and SR 0056 (Station 578+00) (Bedford, PA Quadrangle N: 22.2 inches; W: 11.1 inches; Latitude: 40° 07' 18.8"; Longitude: 78° 34' 45.4").

3. Relocation and maintenance of four separate stream reaches:

a. Reach A: The relocation and maintenance of 492.0 lineal feet of UNT to Adams Run (WWF) between Stations 572+00 and 578+00 (Bedford, PA Quadrangle N: 22.23 inches; W: 11.1 inches; Latitude: 40° 07' 22.23"; Longitude: 78° 34' 46.0"). The stream relocation will cause permanent loss to 53.0 feet of channel.

b. Reach B: The relocation and maintenance of 214.0 lineal feet of a UNT to Adams Run (WWF) between Stations 587+25 and 589+60 (Bedford, PA Quadrangle N: 21.8 inches; W: 10.8 inches; Latitude: 40° 07' 10.1"; Longitude: 78° 34' 37.2"). The stream relocation will cause permanent loss to 20.0 feet of ephemeral channel.

c. Reach C: The relocation and maintenance of 60.0 lineal feet of a UNT to Adams Run (WWF) between Stations 590+60 and 591+15 (Bedford, PA Quadrangle N: 21.8 inches; W: 10.7 inches; Latitude: 40° 07' 8.7"; Longitude: 78° 34' 34.4"). The stream relocation will cause permanent loss to 29.0 feet of ephemeral channel.

d. Reach D: The relocation and maintenance of 145.0 lineal feet of a UNT to Adams Run (WWF) between Stations 600+50 and 602+25 (Bedford, PA Quadrangle N: 21.6 inches; W: 10.2 inches; Latitude: 40° 07' 6.0"; Longitude: 78° 34' 21.2"). The stream relocation will cause permanent loss to 55.0 feet of ephemeral channel.

4. The placement and maintenance of fill within a total of ten Palustrine Emergent Wetlands associated with a UNT to Adams Run (WWF):

a. Wetland 101: Station 576+00 to 577+00 (Bedford, PA Quadrangle N: 22.3 inches; W: 11.1 inches; Latitude: 40° 07' 19.9"; Longitude: 78° 34' 46.6"). Permanent impact: 0.01 acre, Temporary impact: 0.01 acre.

b. Wetland 102: Station 575+00 to 576+75 (Bedford, PA Quadrangle N: 22.3 inches; W: 11.1 inches; Latitude: 40° 07' 20.8"; Longitude: 78° 34' 45.5"). Permanent impact: 0.025 acre.

c. Wetland 103: Station 576+75 to 576+90 (Bedford, PA Quadrangle N: 22.3 inches; W: 11.1 inches; Latitude: 40° 07' 19.9"; Longitude: 78° 34' 45.1"). Permanent impact: 0.009 acre.

d. Wetland 104: Station 574+00 (Bedford, PA Quadrangle N: 22.4 inches; W: 11.1 inches, Latitude: 40° 07' 24.3"; Longitude: 78° 34' 45.8"). Temporary impact: 0.001 acre.

e. Wetlands W7, W7a, W8, W8a: Station 586+00 to 593+50 (Bedford, PA Quadrangle N: 21.8 inches; W: 10.7 inches; Latitude: 40° 07' 10.0"; Longitude: 78° 34' 35.8"). Permanent impact: 0.32 acre, Temporary impact: 0.20 acre.

f. Wetland 105: Station 594+50 to 596+50 (Bedford, PA Quadrangle N: 21.6 inches; W: 10.5 inches; Latitude: 40° 07' 7.0"; Longitude: 78° 34' 28.9"). Permanent impact: 0.17 acre, Temporary impact: 0.01 acre.

g. Wetland 106: Station 599+15 to 600+75 (Bedford, PA Quadrangle N: 21.6 inches; W: 10.2 inches, Latitude: 40° 07' 6.2"; Longitude: 78° 34' 22.9"). Permanent impact: 0.02 acre, Temporary impact: 0.02 acre.

5. Construct and maintain a 24-inch outfall and headwall at the left downstream bank of a UNT to Adams Run (WWF) at Station 589+00 (Bedford, PA Quadrangle N: 21.8 inches; W: 10.8 inches; Latitude: 40° 07' 9.25"; Longitude: 78° 43' 35.7").

The permittee proposes to create a minimum of 0.56 acre of compensatory Palustrine emergent wetland at a preapproved off-site 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 permittee 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.

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

**E14-494. Robert and Barbara Maloit**, 10 Mountain Trail, Prince Frederick, MD 20768. Maloit Bridge Crossing, in Huston Township, **Centre County**, ACOE Baltimore District (Julian, PA Quadrangle N: 22.3 inches; W: 10.9 inches).

To construct, operate and maintain: 1) 806 cubic yards of clean fill to make the 330 linear feet of bridge approaches that are in the 100-year floodway, and are part of a 16 foot wide by 2,200 foot long driveway to a proposed out-of-floodway private home; 2) a 16 foot wide by 40 foot long steel "I" beam bank-to-bank bridge over Laurel Run that has a 137 square foot hydraulic opening, a 40 foot clear span and a 5 foot underclearance; 3) two 36-inch diameter culverts in the driveway to convey minor tributaries to Laurel Run; 4) a 20-foot long 36-inch diameter HDPE culvert with two sand bag dams to temporarily convey stream water through a dry bridge construction site; 5) 30 linear feet of R-5 riprap on the right streambank immediately upstream of the bridge; 6) a total of 3,955 square feet of wetland impact (0.09 acre) associated with the driveway construction; and 7) replacement wetlands onsite, at a 2:1 ratio, by creating 8,000 square feet of wetlands east of the bridge location within the floodplain area, all of which are located 0.8 mile upstream of SR 150 crossing of Laurel Run.

[Pa.B. Doc. No. 06-2269. Filed for public inspection November 17, 2006, 9:00 a.m.]

## Erosion and Sediment Control and Stormwater Management for Oil and Gas Exploration, Production, Processing, Treatment Operations or Transmission Facilities

On June 12, 2006, the United States Environmental Protection Agency (EPA) published final amendments to the National Pollutant Discharge Elimination System (NPDES) regulations for stormwater discharges associated with oil and gas exploration, production, processing or treatment operations or transmission facilities (see 71 FR 894) to implement new provisions of the Clean Water Act, established by the Energy Policy Act of 2005. In the rulemaking, the EPA acknowledged that its rule does not prohibit states from regulating oil and gas earth disturbance activities under state authority, to prevent violations of a state's water quality standards.

By this notice, the Department of Environmental Protection (Department) invites public comment on its plan, established under EPA's rulemaking at 71 FR 894, to continue to regulate erosion, sediment and stormwater runoff associated with earth disturbance at oil and gas exploration, production, processing or treatment operations or transmission facilities (oil and gas facilities). The Department's plan is proposed under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Oil and Gas Act (58 P. S. §§ 601.101—601.605).

### Background

"Erosion and Sediment Control Plans" and implementation of best management practices (BMPs) have been required of oil and gas operators in this Commonwealth since 1972. The purpose of the plans and BMPs are to minimize the potential for erosion and sedimentation and protect the waters of this Commonwealth. This is a long standing practice under the The Clean Streams Law, 25 Pa. Code Chapter 102 (relating to erosion and sediment control), the Oil and Gas Act, 25 Pa. Code Chapter 78 (relating to oil and gas wells) and is one of the core elements of the Department's program for regulating oil and gas activities. The Department's first Erosion and Sediment Control Manual for earth disturbance at oil and gas wells was published in 1981. It is now incorporated into the Department's "Oil and Gas Operators Manual."

In 1990, EPA promulgated the NPDES Phase I Stormwater rule. This rule established permit requirements for certain stormwater discharges, including stormwater discharges associated with construction activities that disturb 5 acres or greater or that disturb less than 5 acres when part of a larger common plan of development or sale that disturbs 5 acres or more. The Commonwealth responded in kind and required NPDES permits for construction activities when they triggered the permit threshold. Earth disturbance activities at oil and gas wells were included.

On January 1, 2000, 25 Pa. Code Chapter 102 was revised to incorporate a requirement to obtain a NPDES Permit for Stormwater Discharges Associated with Construction Activities. On March 17, 2001, the Department issued the "Policy for NPDES Permits for Stormwater Discharges Associated with Construction Activities at Oil and Gas Wells" (Document #550-2100-008). This document sets forth the Department's policy for determining when earth disturbances at oil and gas wells trigger the permit requirement. The policy was updated and reissued on July 26, 2003.

On August 8, 2005, President Bush signed into law the Energy Policy Act of 2005. Section 323 of the Energy Policy Act of 2005 added a new paragraph (24) to section 502 of the Clean Water Act (CWA) to define the term "oil and gas exploration, production, processing, or treatment operations or transmission facilities" to mean "all field activities or operations associated with exploration, production, processing, or treatment operations or transmission facilities, including activities necessary to prepare a site for drilling and for the movement and placement of drilling equipment, whether or not such field activities or operations may be considered to be construction activities." This term is used in section 402(l)(2) of the CWA to identify oil and gas activities for which the EPA shall not require NPDES permit coverage for certain storm water discharges. The effect of this statutory change makes construction activities at oil and gas sites eligible for the exemption established by the CWA section 402(l)(2).

#### *Department Plan*

Under the authority of the The Clean Streams Law and the Oil and Gas Act, the Department has developed a plan to continue regulating erosion, sediment and stormwater runoff associated with oil and gas activities. Components of the plan include the following activities:

- **Issuance of a General Permit for Erosion and Sediment Control:** The Department plans to develop and issue a general "Erosion and Sediment Control Permit" specific to earth disturbance at oil and gas well activities so that proper permit coverage is available to operators who trigger the permit threshold. The Department has found that an effective strategy for minimizing the potential for erosion and sedimentation from oil and gas activities is keeping the unstabilized area of earth disturbance below 5 acres. Requiring a permit for earth disturbance activities that exceed 5 acres provides an incentive for the operator to minimize the disturbed area and restore the disturbed area promptly after completion of the well. When the unstabilized disturbed area for the project exceeds 5 acres, the added protection gained through an Erosion and Sediment Control Permit is beneficial. The Department expects to issue public notice for the General Permit in 2007.

- **Development of Revised Regulations:** 25 Pa. Code § 102.5 (relating to permit requirements) states that a permit must be obtained from the Department when the disturbed area for the project is 5 acres or more. This is also consistent with 25 Pa. Code § 92.2(c) (relating to incorporation of Federal regulations by reference. Section 102.5 uses the term "NPDES Permit for Stormwater Discharges Associated with Construction Activities." The Department will be proposing revised regulations to change the name of the permit to an "Erosion and Sediment Control Permit" for oil and gas activities similar to the term currently used for timber harvesting and road maintenance. The Department expects to propose the revised rule to the Environmental Quality Board in 2007.

- **Revision of Existing Policy:** The existing "Policy for NPDES Permits for Stormwater Discharges Associated with Construction Activities at Oil and Gas Wells" (Document #550-2100-008) will be revised to be consistent with EPA rules and to explain the Commonwealth's specific permit program for earth disturbance associated with oil and gas activities. It is expected that the proposed revisions will be published for public comment in 2007.

- **Continued Enforcement:** Since 1972, the requirements of 25 Pa. Code Chapter 102 "Erosion and Sediment Control" for "Erosion and Sediment Control Plans" and implementation of best management practices (BMPs) have applied to earth disturbance at oil and gas activities. The Department intends to continue its enforcement of 25 Pa. Code Chapter 102.

#### *Public Comment Period:*

The Department invites public comment on its plan to continue to regulate erosion, sediment and stormwater runoff associated with earth disturbance at oil and gas facilities. Interested persons may submit written comments on the Department's proposed plan by December 18, 2006. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Chief, NPDES Construction and Erosion Control, Department of Environmental Protection, Bureau of Watershed Management, Division of Waterways, Wetlands and Stormwater Management, P. O. Box 8775, Harrisburg, PA 17105-8775. Comments may also be sent to ep-oilgaspermit@state.pa.us.

Questions regarding this notice should be directed to Kenneth Murin, Bureau of Watershed Management, at (717) 787-6827, or Ronald Gilius, Bureau of Oil and Gas Management, at (717) 772-2291.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-2270. Filed for public inspection November 17, 2006, 9:00 a.m.]

#### **Proposed Revision to the State Implementation Plan for Ozone for the Greene County 8-Hour Ozone Nonattainment Area; Public Hearing**

Ground-level ozone concentrations above the Federal health-based standard are a serious human health threat and can also cause damage to crops, forests and wildlife. The Greene County 8-hour Ozone Nonattainment Area has met the health-based National ambient air quality standard for ozone based on 2003–2005 concentrations. Therefore, the Department of Environmental Protection (Department) plans to submit a request to the United States Environmental Protection Agency (EPA) to redesignate this nonattainment area to attainment. The Department is seeking public comment on the 8-hour ozone redesignation request, the 2002 base year inventory and a State Implementation Plan revision setting forth a Maintenance Plan, which includes the Pennsylvania Clean Vehicles Program, demonstrating that the area can maintain the health-based ozone standard for the next 10 years as required under section 175A(a) of the Federal Clean Air Act (42 U.S.C.A. § 7505a). The Maintenance Plan, once approved by the EPA, will also establish new motor vehicle emission budgets for purposes of transportation conformity.

This proposal is available on the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (select "Air Topics") or through the contact persons listed.

The Department will hold a public hearing to receive comments on the proposals on Tuesday, December 19, 2006, at 1 p.m. at the Greene County Office Building, 93 E. High Street, Waynesburg, PA. Persons wishing to

present testimony at the hearing should contact Yvette House, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495, yhouse@state.pa.us to reserve a time. Persons who do not reserve a time will be able to testify as time allows. Witnesses should keep testimony to 10 minutes and should provide two written copies of their statement at the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Yvette House at (717) 787-9495, yhouse@state.pa.us. TDD users may contact the AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than December 22, 2006. Written comments should be sent to the attention of J. Wick Havens, Chief, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, jhavens@state.pa.us. Use "Greene SIP" as the mail addressee or in the subject line.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-2271. Filed for public inspection November 17, 2006, 9:00 a.m.]

### Proposed Revision to the State Implementation Plan for Ozone for the Reading 8-Hour Ozone Nonattainment Area; Public Hearing

Ground-level ozone concentrations above the Federal health-based standard are a serious human health threat and can also cause damage to crops, forests and wildlife. The Reading 8-hour Ozone Nonattainment Area has met the health-based National ambient air quality standard for ozone based on 2003—2005 concentrations. Therefore, the Department of Environmental Protection (Department) plans to submit a request to the United States Environmental Protection Agency (EPA) to redesignate this nonattainment area to attainment. The Department is seeking public comment on the 8-hour ozone redesignation request, the 2002 base year inventory and a State Implementation Plan revision setting forth a Maintenance Plan, which includes the Pennsylvania Clean Vehicles Program, demonstrating that the area can maintain the health-based ozone standard for the next 10 years as required under section 175A(a) of the Federal Clean Air Act (42 U.S.C.A. § 7505a). The Maintenance Plan, once approved by the EPA, will also establish new motor vehicle emission budgets for purposes of transportation conformity. This proposal is available on the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (select "Air Topics") or through the contact persons listed.

The Department will hold a public hearing to receive comments on the proposals on Tuesday, December 19, 2006, at 1 p.m. at the Berks County Services Center, Commissioners Board Room, 13th Floor, 633 Court Street, Reading, PA. Persons wishing to present testimony at the hearing should contact Yvette House, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495 or yhouse@state.pa.us to reserve a time. Persons who do not reserve

a time will be able to testify as time allows. Witnesses should keep testimony to 10 minutes and should provide two written copies of their statement at the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Yvette House at (717) 787-9495, yhouse@state.pa.us. TDD users may contact the AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than December 22, 2006. Written comments should be sent to the attention of J. Wick Havens, Chief, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, jhavens@state.pa.us. Use "Reading SIP" as the mail addressee or in the subject line.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-2272. Filed for public inspection November 17, 2006, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### RFP for Publication of *Pennsylvania Code*, *Pennsylvania Code Reporter* and *Pennsylvania Bulletin*; Extension of Proposal Response Date

The Department of General Services (Department) published a notice of issuance of a Request for Proposal for the publication of the *Pennsylvania Code*, the *Pennsylvania Code Reporter* and the *Pennsylvania Bulletin* at 36 Pa.B. 6739 (November 4, 2006).

The Department has issued an Addenda for an extension of the proposal response date to December 14, 2006.

JAMES P. CREEDON,  
*Secretary*

[Pa.B. Doc. No. 06-2273. Filed for public inspection November 17, 2006, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under the Pennsylvania Cancer Control, Prevention, and Research Act (35 P. S. § 5633), will hold a meeting on Wednesday, December 6, 2006, from 7:45 a.m. to 1 p.m. at the Dixon University Center, 2986 North Second Street, Harrisburg, PA 17110.

For additional information or persons with a disability who want to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Kathleen A. Zitka, Chief, Department of Health, Cancer

Prevention and Control Section, Room 1011, Health and Welfare Building, Harrisburg, PA, (717) 787-5251 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 06-2274. Filed for public inspection November 17, 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 § 201.3 (relating to definitions).

Charles M. Morris Nursing & Rehabilitation Center  
200 JHF Drive  
Pittsburgh, PA 15217

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

Rouse Warren County Home  
701 Rouse Avenue  
Youngsville, PA 16371

Concordia Lutheran Health and Human Care  
615 North Pike Road  
Cabot, PA 16023

Lutheran Home at Kane  
100 High Point Drive  
Kane, PA 16735

The following long-term care nursing facility is seeking an exception to 28 Pa. Code §§ 205.19(b) and 205.36(h) (relating to windows and windowsills; and bathing facilities).

Millcreek Community Hospital Transitional Care Unit  
5515 Peach Street  
Erie, PA 16509

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, ra-paexcept@state.pa.us.

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

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide, service or other accommo-

modation to do so should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons 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. 06-2275. Filed for public inspection November 17, 2006, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Prevailing Wage Appeals Board Public Meeting

The Prevailing Wage Appeals Board will hold a public meeting on Tuesday, November 21, 2006, at 10 a.m. in the 3rd Floor Conference Room, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

The ADA contact is Gina Meckley, (717) 783-9424.

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 06-2276. Filed for public inspection November 17, 2006, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Golden 7s; Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Golden 7s.

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

3. *Play Symbols:* Each Pennsylvania Golden 7s instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 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 (SEVN), 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) and a Gold symbol (GOLD).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$1<sup>00</sup> (ONE DOL), \$5<sup>00</sup> (FIV DOL), \$7<sup>00</sup> (SVN DOL), \$10<sup>00</sup> (TEN DOL), \$14\$ (FORTN), \$15\$ (FIFTN), \$20\$ (TWENTY),

\$35\$ (TRY FIV), \$70\$ (SEVENTY), \$100 (ONE HUN), \$700 (SVN HUN), \$7,000 (SVN THO), and \$70,000 (SVY THO).

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

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Golden 7s 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 "WINNING NUMBERS" play symbols and a prize symbol of \$70,000 (SVY THO) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$70,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$7,000 (SVN THO) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$7,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$700 (SVN HUN) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$700.

(d) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$700 (SVN HUN) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, on a single ticket, shall be entitled to a prize of \$700.

(e) Holders of tickets with a play symbol of Gold (GOLD), and a prize symbol of \$100 (ONE HUN) appearing in the "PRIZE" area to the right of that Gold (GOLD) play symbol, on a single ticket, shall be entitled to a prize of \$700.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$100 (ONE HUN) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$70\$ (SEVENTY) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$70.

(i) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$70\$ (SEVENTY) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, on a single ticket, shall be entitled to a prize of \$70.

(j) Holders of tickets with a play symbol of Gold (GOLD), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appearing in the "PRIZE" area to the right of that Gold (GOLD) play symbol, on a single ticket, shall be entitled to a prize of \$70.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$35\$ (TRY FIV) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$35.

(l) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$35\$ (TRY FIV) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, on a single ticket, shall be entitled to a prize of \$35.

(m) Holders of tickets with a play symbol of Gold (GOLD), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appearing in the "PRIZE" area to the right of that Gold (GOLD) play symbol, on a single ticket, shall be entitled to a prize of \$35.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20\$ (TWENTY) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$20 (TWENTY) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, 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 matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15\$ (FIFTN) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(q) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$15\$ (FIFTN) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, on a single ticket, shall be entitled to a prize of \$15.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$14\$ (FORTN) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$14.

(s) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$14\$ (FORTN) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, on a single ticket, shall be entitled to a prize of \$14.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$7<sup>00</sup> (SVN DOL) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$7.

(w) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$7<sup>00</sup> (SVN DOL) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, on a single ticket, shall be entitled to a prize of \$7.



(x) Holders of tickets with a play symbol of Gold (GOLD), and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appearing in the "PRIZE" area to the right of that Gold (GOLD) play symbol, on a single ticket, shall be entitled to a prize of \$7.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "PRIZE" area to the

right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(z) Holders of tickets with a play symbol of 7 (SEVN), and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appearing in the "PRIZE" area to the right of that 7 (SEVN) play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

*When Any Of Your Numbers  
Match Any Of The Winning  
Numbers, Win With Prize(s)  
Of:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$5 w/7	\$5	20	300,000
\$5	\$5	20.69	290,000
\$7 w/7	\$7	60	100,000
\$7	\$7	60	100,000
\$1 w/GOLD	\$7	60	100,000
\$10 w/7	\$10	120	50,000
\$5 × 2	\$10	120	50,000
\$10	\$10	60	100,000
\$14 w/7	\$14	600	10,000
\$14	\$14	600	10,000
\$7 × 2	\$14	600	10,000
\$1 w/GOLD + \$7	\$14	300	20,000
\$15 w/7	\$15	600	10,000
\$5 × 3	\$15	600	10,000
\$10 + \$5	\$15	600	10,000
\$15	\$15	300	20,000
\$20 w/7	\$20	300	20,000
\$20	\$20	300	20,000
\$5 × 4	\$20	200	30,000
\$10 × 2	\$20	200	30,000
\$35 w/7	\$35	600	10,000
\$35	\$35	600	10,000
\$5 × 7	\$35	600	10,000
\$7 × 5	\$35	600	10,000
\$5 w/GOLD	\$35	600	10,000
\$70 w/7	\$70	375	16,000
\$70	\$70	375	16,000
\$7 × 10	\$70	375	16,000
\$10 × 7	\$70	375	16,000
\$35 × 2	\$70	375	16,000
\$10 w/GOLD	\$70	300	20,000
\$100 w/7	\$100	8,000	750
\$100	\$100	8,000	750
\$10 × 10	\$100	8,000	750
\$20 × 5	\$100	8,000	750
\$10 w/GOLD + \$10 × 3	\$100	6,000	1,000
\$10 w/GOLD + \$15 × 2	\$100	6,000	1,000
\$700 w/7	\$700	40,000	150
\$700	\$700	40,000	150
\$100 w/GOLD	\$700	30,000	200
\$7,000	\$7,000	240,000	25
\$70,000	\$70,000	600,000	10

7 (SEVN) = Win prize shown to the right of it automatically.  
GOLD (GOLD) = Win 7 times the prize shown to the right of it.

Prizes, including the 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 Golden 7s 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 Golden 7s, prize money from winning Pennsylvania Golden 7s in-

stant 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 Golden 7s 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 (72 P. S. §§ 3761-101—3761-314), 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 Golden 7s or through normal communications methods.

GREGORY C. FAJT,  
Secretary

[Pa.B. Doc. No. 06-2277. Filed for public inspection November 17, 2006, 9:00 a.m.]

### Pennsylvania Magic Cash; Instant Lottery Game

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

1. *Name*: The name of the game is Pennsylvania Magic Cash.

2. *Price*: The price of a Pennsylvania Magic Cash instant lottery game ticket is \$2.

3. *Play Symbols*: Each Pennsylvania Magic Cash instant lottery game ticket will contain one play area featuring a "MAGIC NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "MAGIC NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), a Crystal Ball symbol (CRYSBLL) and a Cash symbol (CASH).

4. *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$20,000 (TWY THO).

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

6. *Approximate Number of Tickets Printed For the Game*: Approximately 8,400,000 tickets will be printed for the Pennsylvania Magic Cash instant lottery game.

### 7. Determination of Prize Winners.

(a) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "MAGIC NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

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

(c) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$100 (ONE HUN) appears under the Cash symbol (CASH) on a single ticket, shall be entitled to a prize of \$200.

(d) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "MAGIC 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.

(e) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Crystal Ball symbol (CRYSBLL), and a prize symbol of \$100 (ONE HUN) appears under the Crystal Ball symbol (CRYSBLL) on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$50\$ (FIFTY) appears under the Cash symbol (CASH) on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "MAGIC 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.

(h) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Crystal Ball symbol (CRYSBLL), and a prize symbol of \$50\$ (FIFTY) appears under the Crystal Ball symbol (CRYSBLL) on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$20\$ (TWENTY) appears under the Cash symbol (CASH) on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "MAGIC 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.

(k) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Crystal Ball symbol (CRYSBLL), and a prize symbol of \$20\$ (TWENTY) appears under the Crystal Ball symbol (CRYSBLL) on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Cash symbol (CASH) on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "MAGIC 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.

(n) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Crystal Ball symbol (CRYSBLL), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Crystal Ball symbol (CRYSBLL) on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the Cash symbol (CASH) on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "MAGIC 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.

(q) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Crystal Ball symbol (CRYSBLL), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the Crystal Ball symbol (CRYSBLL) on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "MAGIC NUMBERS" play symbols and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Crystal Ball symbol (CRYSBLL), and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears under the Crystal Ball symbol (CRYSBLL) on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears under the Cash symbol (CASH) on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "MAGIC NUMBERS" play symbols and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(v) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Crystal Ball symbol (CRYSBLL), and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears under the Crystal Ball symbol (CRYSBLL) on a single ticket, shall be entitled to a prize of \$2.

(w) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears under the Cash symbol (CASH) on a single ticket, shall be entitled to a prize of \$2.

(x) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "MAGIC NUMBERS" play symbols and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

<i>When Any Of Your Numbers Match Either Magic Number, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
\$2	\$2	33.33	252,000
\$1 × 2	\$2	37.50	224,000
\$2 w/CRYSTAL BALL	\$2	37.50	224,000
\$1 w/CASH	\$2	37.50	224,000
\$4	\$4	75	112,000
\$2 × 2	\$4	75	112,000
\$4 w/CRYSTAL BALL	\$4	75	112,000
\$2 w/CASH	\$4	75	112,000
\$5	\$5	75	112,000
\$1 × 5	\$5	75	112,000
\$5 w/CRYSTAL BALL	\$5	150	56,000
\$10	\$10	250	33,600
\$5 × 2	\$10	250	33,600
\$2 × 5	\$10	250	33,600
\$10 w/CRYSTAL BALL	\$10	250	33,600
\$5 w/CASH	\$10	250	33,600
\$20	\$20	375	22,400
\$5 × 4	\$20	375	22,400
\$4 × 5	\$20	375	22,400
\$10 × 2	\$20	750	11,200
\$20 w/CRYSTAL BALL	\$20	500	16,800
\$10 w/CASH	\$20	500	16,800
\$50	\$50	1,500	5,600

<i>When Any Of Your Numbers Match Either Magic Number; Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
\$5 × 10	\$50	1,500	5,600
\$10 × 5	\$50	1,500	5,600
\$50 w/CRYSTAL BALL	\$50	1,500	5,600
\$20 w/CASH + \$10	\$50	1,500	5,600
\$100	\$100	20,000	420
\$20 × 5	\$100	20,000	420
\$100 w/CRYSTAL BALL	\$100	20,000	420
\$50 w/CASH	\$100	17,143	490
\$500	\$500	840,000	10
\$100 × 5	\$500	840,000	10
\$100 w/CASH × 2 + \$100	\$500	840,000	10
\$20,000	\$20,000	840,000	10

CRYSTAL BALL (CRYSBLL) = Win prize shown under it automatically.  
CASH (CASH) = Win double the prize shown under it.

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 Magic Cash 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 Magic Cash, prize money from winning Pennsylvania Magic Cash 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 Magic Cash 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 (72 P. S. §§ 3761-101—3761-314), 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 Magic Cash or through normal communications methods.

GREGORY C. FAJT,  
Secretary

[Pa.B. Doc. No. 06-2278. Filed for public inspection November 17, 2006, 9:00 a.m.]

## Pennsylvania Sweetheart Cash '06 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Sweetheart Cash '06.

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

3. *Play Symbols:* Each Pennsylvania Sweetheart Cash '06 instant lottery game ticket will contain one play area consisting of "GAME 1," "GAME 2," "GAME 3" and "GAME 4." Each "GAME" is played separately. Each "GAME" features a "CANDY HEARTS" area and a "PRIZE" area. The play symbols and their captions located in the "CANDY HEARTS" area are: Be Mine Candy Heart symbol (BE MINE), Look Good Candy Heart symbol (LK GOOD), Luv You Candy Heart symbol (LUV YOU), The Best Candy Heart symbol (THE BEST), 4 Ever Candy Heart symbol (4 EVER), Awesome Candy Heart symbol (AWESOME), Only You Candy Heart symbol (ONLY YOU), Kiss Me Candy Heart symbol (KISS ME), Marry Me Candy Heart symbol (MARRYME), Sweet Heart Candy Heart symbol (SWTHRT), U Are #1 Candy Heart symbol (UARE#1), Tru Luv Candy Heart symbol (TRU LUV), Always Yours Candy Heart symbol (ALWYRS) and a Cupid symbol (CUPID).

4. *Prize Symbols:* The prize symbols and their captions located in the "PRIZE" area of each "GAME" are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$250 (TWOHUNFTY) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: Free Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$250 and \$1,000. The player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 11,760,000 tickets will be printed for the Pennsylvania Sweetheart Cash '06 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(b) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of \$250 (TWOHUNFTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$250.

(c) Holders of tickets upon which any one of the "CANDY HEARTS" play symbols is a Cupid symbol (CUPID), and a prize symbol of \$20\$ (TWENTY) appears in each of the four "PRIZE" areas on a single ticket, shall be entitled to a prize of \$80.

(d) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of \$40\$ (FORTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets upon which any one of the "CANDY HEARTS" play symbols is a Cupid symbol (CUPID), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in each of the four "PRIZE" areas on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of \$20\$ (TWENTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any one of the "CANDY HEARTS" play symbols is a Cupid symbol (CUPID), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in each of the four "PRIZE" areas on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which any one of the "CANDY HEARTS" play symbols is a Cupid symbol (CUPID), and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in three of the "PRIZE" areas, and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in one of the "PRIZE" areas on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets upon which any one of the "CANDY HEARTS" play symbols is a Cupid symbol (CUPID), and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in three of the "PRIZE" areas, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in one of the "PRIZE" areas on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets upon which any one of the "CANDY HEARTS" play symbols is a Cupid symbol (CUPID), and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in each of the four "PRIZE" areas on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$1.

(p) Holders of tickets with two matching like "CANDY HEARTS" play symbols in the same "GAME," and a prize symbol of FREE (TICKET) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of one Pennsylvania Sweetheart Cash '06 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

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

<i>When You Match 2 Like Candy Hearts In The Same Game, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 11,760,000 Tickets</i>
FREE TICKET	TICKET	20	588,000
\$1	\$1	21.43	548,800
\$1 × 2	\$2	33.33	352,800
\$2	\$2	33.33	352,800
\$1 × 4	\$4	200	58,800
\$2 × 2	\$4	200	58,800
CUPID w/\$1 × 4	\$4	100	117,600
\$4	\$4	150	78,400
CUPID w/\$1 × 3 + \$2	\$5	150	78,400
\$5	\$5	150	78,400
\$2 + \$4 × 2	\$10	1,000	11,760
\$2 × 3 + \$4	\$10	1,000	11,760
CUPID w/\$2 × 3 + \$4	\$10	375	31,360
\$5 × 2	\$10	1,500	7,840
\$10	\$10	750	15,680
\$5 × 4	\$20	1,500	7,840
CUPID w/\$5 × 4	\$20	750	15,680
\$10 × 2	\$20	1,500	7,840
\$20	\$20	1,500	7,840
\$10 × 4	\$40	2,400	4,900
CUPID w/\$10 × 4	\$40	2,400	4,900

*When You Match 2 Like  
Candy Hearts In The Same  
Game, Win With Prize(s) Of:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 11,760,000 Tickets</i>
\$20 × 2	\$40	2,400	4,900
\$40	\$40	2,400	4,900
\$20 × 4	\$80	48,000	245
CUPID w/\$20 × 4	\$80	48,000	245
\$40 × 2	\$80	48,000	245
\$250	\$250	48,000	245
\$250 × 4	\$1,000	1,680,000	7
\$1,000	\$1,000	1,680,000	7

CUPID (CUPID) = Win all 4 prizes shown.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Sweetheart Cash '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 Sweetheart Cash '06, prize money from winning Pennsylvania Sweetheart Cash '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 Sweetheart Cash '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 (72 P. S. §§ 3761-101—3761-314), 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 Sweetheart Cash '06 or through normal communications methods.

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 06-2279. Filed for public inspection November 17, 2006. 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Borough of Souderton v. DEP; EHB Doc. No.  
2006-240-K**

The Borough of Souderton 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 hearing on the appeal has not yet been scheduled.

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

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

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 06-2280. Filed for public inspection November 17, 2006. 9:00 a.m.]

**Southern Alleghenies Landfill, Inc. v. DEP; EHB  
Doc. No. 2006-226-R**

Southern Alleghenies Landfill, Inc. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Conemaugh Township, Somerset County, PA.

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

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

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code

§ 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 06-2281. Filed for public inspection November 17, 2006, 9:00 a.m.]

### Upper Moreland-Hatboro Joint Sewer Authority v. DEP; EHB Doc. No. 2006-236-MG

Upper Moreland-Hatboro Joint Sewer Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Upper Moreland-Hatboro Joint Sewer Authority for a facility in Upper Moreland Township, Montgomery County.

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

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

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

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 06-2282. Filed for public inspection November 17, 2006, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, November 2, 2006, and announced the following:

*Regulation Deemed Approved under section 5(g) of the Regulatory Review Act—Effective November 1, 2006*

Pennsylvania Securities Commission #50-120: Rescission of Forms and Other Technical Amendments (amends 64 Pa. Code Chapters 203, 205, 207, 209, 210, 303, 504, 602—604, 609 and 1001)

*Regulation Deemed Approved under section 5.1(e) of the Regulatory Review Act*

Pennsylvania Public Utility Commission #57-244: Alternative Energy Portfolio Standards (establishes 52 Pa. Code §§ 75.1—75.15)

### Regulations Approved:

Department of Transportation #18-377: Alcohol Highway Safety Schools and Driving Under the Influence Program Coordinators (adds 67 Pa. Code Chapter 94)

Pennsylvania Public Utility Commission #57-245: Alternative Energy Portfolio Standards: Interconnection Standards for Customer-Generators (establishes 52 Pa. Code §§ 75.21—75.51)

Pennsylvania Public Utility Commission #57-247: PUC Filing and Reporting Requirements on Local Exchange Carriers (amends 52 Pa. Code Chapters 63, 64, 71 and 73)

Environmental Quality Board #7-398: Pennsylvania Clean Vehicles Program (amends 25 Pa. Code Chapters 121 and 126)

### Approval Order

Public Meeting held  
November 2, 2006

*Commissioners Voting:* Arthur Coccodrilli, Acting Chairperson; David M. Barasch, Esq.; David J. DeVries, Esq.; John F. Mizner, Esq.

*Department of Transportation—Alcohol Highway Safety Schools and Driving Under the Influence Program Coordinators; Regulation No. 18-377 (#2417)*

On August 17, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation. This rulemaking adds Chapter 94 to 67 Pa. Code. The proposed regulation was published in the August 28, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 26, 2006.

This regulation formally establishes Alcohol Highway Safety Schools as mandated by Act 24 of 2003. It also establishes the procedures for the appointment of DUI Program Coordinators.

We have determined this regulation is consistent with the statutory authority of the Department of Transportation (75 Pa.C.S.A. §§ 1549 and 6103) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

### Approval Order

Public Meeting held  
November 2, 2006

*Commissioners Voting:* Arthur Coccodrilli, Acting Chairperson; David M. Barasch, Esq.; David J. DeVries, Esq.; John F. Mizner, Esq.

*Pennsylvania Public Utility Commission—Alternative Energy Portfolio Standards; Interconnection Standards for Customer-Generators; Regulation No. 57-245 (#2524)*

On February 9, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking establishes 52 Pa. Code Sections 75.21 to 75.51. The proposed regulation was published in the February 25, 2006 *Pennsylvania Bulletin*

with a 60-day public comment period. The final-form regulation was submitted to the Commission on September 28, 2006.

This regulation implements part of Act 213 of 2004 by establishing procedures and standards for a customer-generator to interconnect on-site generation to a utility's electric system.

We have determined this regulation is consistent with the statutory authority of the PUC (73 P. S. § 1648.5) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
November 2, 2006

*Commissioners Voting:* Arthur Coccodrilli, Acting Chairperson; David M. Barasch, Esq.; David J. DeVries, Esq.; John F. Mizner, Esq.

*Pennsylvania Public Utility Commission—PUC Filing and Reporting Requirements on Local Exchange Carriers; Regulation No. 57-247 (#2533)*

On April 11, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapters 63, 64, 71 and 73. The proposed regulation was published in the April 22, 2006 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 28, 2006.

This regulation implements a portion of Act 183 of 2004, which requires the PUC to reduce the amount of annual, quarterly and other periodic reporting requirements for Local Exchange Carriers.

We have determined this regulation is consistent with the statutory authority of the PUC (66 P. S. § 3015(e))

and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
November 2, 2006

*Commissioners Voting:* Arthur Coccodrilli, Acting Chairperson; Alvin C. Bush, Chairperson, by phone, dissenting; David M. Barasch, Esq.; David J. DeVries, Esq.; John F. Mizner, Esq.

*Environmental Quality Board—Pennsylvania Clean Vehicles Program; Regulation No. 7-398 (#2523)*

On January 31, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 121 and 126. The proposed regulation was published in the February 11, 2006 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on September 21, 2006.

This regulation postpones compliance with California Low Emission Vehicle II standards until the 2008 model year to provide flexibility for the manufacturers during the implementation period.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. §§ 4005(a)(1), (a)(7) and (a)(8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

ALVIN C. BUSH,  
*Chairperson*

[Pa.B. Doc. No. 06-2283. Filed for public inspection November 17, 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.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-4511	State Board of Cosmetology Accreditation of Licensed Schools	11/2/06	11/30/06
16A-6912	State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Continuing Education	11/2/06	11/30/06
16-32	Bureau of Professional and Occupational Affairs Schedule of Civil Penalties	11/2/06	11/30/06



*Final-Form  
Reg. No.*

2-150

*Agency/Title*

Department of Agriculture  
Commercial Manure Hauler and Broker  
Certification

*Received*

11/2/06

*Public Meeting*

11/30/06

ALVIN C. BUSH,  
*Chairperson*

[Pa.B. Doc. No. 06-2284. Filed for public inspection November 17, 2006, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Flood Insurance Training Requirements; Notice No. 2006-12

*Flood Insurance Training Requirements for all Pennsylvania Resident Insurance Producers with a Property Line of Authority Selling Through the National Flood Insurance Program (NFIP)*

Section 207 of the Flood Insurance Reform Act of 2004 (act) (Pub. L. No. 264, 264, 118 Stat. 712) requires all producers selling flood insurance policies under the NFIP to be properly trained and educated about the NFIP to ensure producers may best serve their clients.

The act<sup>1</sup> directs the Director of the Federal Emergency Management Agency (FEMA) in cooperation with the insurance industry, State insurance regulators and other interested parties to establish minimum training and education requirements for all insurance agents who sell flood insurance policies. FEMA and State approved continuing education providers are developing courses related to the NFIP. An insurance producer who sells flood insurance may satisfy the minimum training and education requirements by completing a course related to the NFIP, which may be approved for 3 hours of continuing education credit by the Insurance Department. The failure to comply with this continuing education requirement may jeopardize the producer's authority to write insurance through the NFIP.

All Commonwealth licensed resident insurance producers who sell Federal flood insurance policies must comply with the minimum training requirements of section 207 of the act and basic flood education as outlined at 70 Fed. Reg., 52117 (Sept. 1, 2005) or such later requirements as are published by FEMA.

Licensed insurers shall demonstrate to the commissioner, upon request, that their licensed and appointed producers who sell Federal flood insurance policies have complied with the minimum Federal flood insurance training requirements.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-2285. Filed for public inspection November 17, 2006, 9:00 a.m.]

<sup>1</sup> *Supplementary Information.* On June 30, 2004, the President signed the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (Flood Insurance Reform Act of 2004), Pub. L. 108-264. Section 207 of the Flood Insurance Reform Act of 2004 states:

The Director of the Federal Emergency Management Agency shall, in cooperation with the insurance industry, State insurance regulators, and other interested parties (1) Establish minimum training and education requirements for all insurance agents who sell flood insurance policies, and (2) Not later than 6 months after the date of enactment of this Act, publish these requirements in the *Federal Register*, and inform insurance companies and agents of the requirements.

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution #OR-06-194, dated September 19, 2006. Authorizes the reorganization of the Liquor Control Board, by renaming the Bureau of Alcohol Education to the Bureau of Alcohol Education and Prevention Services and by establishing the Responsible Alcohol Management Services Division and the Prevention and Education Services Division.

Resolution #OR-06-199, dated October 6, 2006. Authorizes the Public School Employees' Retirement System to rename the Network Architecture, Administration and Operations Division to the Network, Server and Database Division; also renames the Custom Solution and Commercial of the Shelf Division to the Business Applications Division; establishes the Documents Archives and Data Capture Division; abolishes the Production Control, Mainframe Systems Support, and Application, Web Server and Database Administration Divisions; and abolishes the Estimate Center in the Communications Division.

Resolution #OR-06-227, dated October 6, 2006. Authorizes the reorganization of the Department of Corrections by renaming the Bureau of Management Information Services to the Bureau of Information Technology; the renaming of the Computer Applications Division to the Applications Division; the renaming of the Information Technology Support Division to the Enterprise Systems Division; and the renaming of the Systems Administration Division to the Technology Infrastructure Division.

Resolution #OR-06-228, dated September 19, 2006. Authorizes the reorganization of the Department of Aging, by establishing the Financial Operations Division within the Bureau of Program Integrity and renaming the Data Collection and Service Appeals Division to the Data Collection and Reporting Division and renaming the Data Analysis, Reporting, and Research Division to the Program Analysis and Evaluation Division.

Resolution #OR-06-236, dated October 2, 2006. Authorizes the reorganization of the Department of General Services, by abolishing the Project Control and Public

Works Support Services Divisions and establishing the Capital Planning and Contract Services Division, and Project Administration Division; abolishing the Architectural Review, Architectural Design, Engineering Review, and Engineering Design Divisions and establishing five new divisions entitled the Engineering and Architectural Design Division, Institutional Project Management Division, Government Project Management Division, Public Project Management Division, and the DGS Project Management Division; abolishing the Field Operations Division and placing the existing Eastern, Central and Western Regional Offices under the Field Construction Division and abolishing the Bureau of Management Information Systems and transferring its functions to the Governor's Office of Administration.

Resolution #CB-06-254, dated October 2, 2006. Authorizes the Collective Bargaining Agreement between the Commonwealth and the State Education Association, National Education Association, Local Associations at Scotland School for Veterans' Children and Scranton State School for the Deaf effective August 16, 2004 through August 15, 2007.

Resolution #OR-06-265, dated October 6, 2006. Authorizes the reorganization of the Department of Banking by establishing the Office of Financial Education and the Office of Economic Development under the Secretary of Banking.

Resolution #OR-06-266, dated October 6, 2006. Authorizes the creation of the Special Deputy Secretary for Dog Law Enforcement and the renaming of the Bureau of Dog Law Protection to the Bureau of Dog Law Enforcement.

#### Governor's Office

Manual M210.9—General Administrative Records Retention and Disposition Schedule for Records Common to Most Agencies, Amended September 29, 2006.

Management Directive No. 580.24—Promotion of Employees in Unskilled Positions Into the Classified Service, Dated September 14, 2006.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 06-2286. Filed for public inspection November 17, 2006, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine & Spirits Shoppe #0202, 90 Allegheny River Bldg., Verona, PA 15147.

*Lease Expiration Date:* August 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,500 to 3,000 net useable square feet of new or existing retail commercial space in a shopping center environment in Verona serving Verona and surrounding area.

*Proposals due:* December 8, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Clearfield County, Wine & Spirits Shoppe #1703, 821 Centennial Street, Houtzdale, PA 16651.

*Lease Expiration Date:* October 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space in a shopping center environment serving the Town of Houtzdale.

*Proposals due:* December 8, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Erie County, Wine & Spirits Shoppe #2512, 66 N. Main Street, Union City, PA 16438.

*Lease Expiration Date:* October 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 1,800 net useable square feet of new or existing retail commercial space serving the Town of Union City. The site must have free customer parking and access for tractor-trailer deliveries.

*Proposals due:* December 8, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Erie County, Wine & Spirits Shoppe #2517, 3412 W. Lake Rd., Erie, PA 16505.

*Lease Expiration Date:* October 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 to 6,000 net useable square feet of new or existing retail commercial space near the intersection of Peninsula Drive and West Lake Road in Millcreek Township. The site must have free off-street customer parking and access for tractor-trailer deliveries.

*Proposals due:* December 8, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Forest County, Wine & Spirits Shoppe #2701, 121 Chestnut Street, Marienville, PA 16239-0433.

*Lease Expiration Date:* September 30, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space serving the Town of Marienville. The site must have free off-street customer parking and access for tractor-trailer deliveries.

*Proposals due:* December 8, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Huntingdon County, Wine & Spirits Shoppe #3102, 25 W. Water Street, Mt. Union, PA 17066.

*Lease Expiration Date:* July 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space serving Mt. Union and surrounding area. The site must have free off-street customer parking and access for tractor-trailer deliveries.

*Proposals due:* December 8, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Mercer County, Wine & Spirits Shoppe #4308, 33 Pine Grove Square Drive, Grove City, PA 16127.

*Lease Expiration Date:* September 30, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space in a shopping center environment serving the Town of Grove City.

*Proposals due:* December 8, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Washington County, Wine & Spirits Shoppe #6304, 105 3rd Street, Charleroi, PA 15022.

*Lease Expiration Date:* September 30, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space in the Central Business District of Charleroi. The site must have convenient customer parking and access for tractor-trailer deliveries.

*Proposals due:* December 8, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Westmoreland County, Wine & Spirits Shoppe #6505, 329 Central City Plaza, New Kensington, PA 15068.

*Lease Expiration Date:* September 30, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space in New Kensington. The site must have access for tractor-trailer deliveries. Free off-street parking in a shopping center environment is preferred.

*Proposals due:* December 8, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

JONATHAN H. NEWMAN,  
*Chairperson*

[Pa.B. Doc. No. 06-2287. Filed for public inspection November 17, 2006, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Request for Proposals to Conduct an Audit of Network Modernization Plan Implementation Progress; Doc. No. D-03SPA022

The Pennsylvania Public Utility Commission (Commission) is seeking a consulting firm to conduct this Network Modernization Plan Implementation Progress Audit (NMP Audit) of Verizon Pennsylvania Inc. (Verizon). This NMP Audit was directed by the Commission's Order at P-00930715F0002, adopted on July 17, 2003, and entered September 17, 2003, and affirmed by its Order at M-00051872, et. al. entered October 28, 2005, which are available on the Commission's website at [www.puc.state.pa.us/general/search.aspx](http://www.puc.state.pa.us/general/search.aspx).

The focus of the NMP Audit will be a comprehensive audit and analysis of Verizon's accuracy in reporting its network modernization plan implementation progress. Specifically, the NMP Audit will evaluate the Verizon's progress in meeting network modernization implementation targets and the accuracy of Verizon's next NMP Biennial Implementation Update Report (Biennial Report). A Request for Proposal (RFP) will be prepared and issued by the Commission in the very near future and will be posted on the Commission's website at [www.puc.state.pa.us/](http://www.puc.state.pa.us/). It is anticipated that the review will begin in June 2007, coinciding with the anticipated receipt of Verizon's NMP Biennial Report, representing its progress as of December 31, 2006. A preproposal meeting will be held to answer specific questions about the project and may be scheduled as early as mid-November 2006. That date will be announced in the RFP cover letter to be posted on the Commission's website. Questions related to the release of the RFP should be directed to John Clista, (717) 772-0317, fax (717), [jclista@state.pa.us](mailto:jclista@state.pa.us).

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2288. Filed for public inspection November 17, 2006, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the perma-

ment 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 11, 2006. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

**A-00123247. Complete Healthcare Services, Inc.** (7016 Terminal Square, Suite 6A, Upper Darby, Delaware County, PA 19082), a corporation of the Commonwealth—persons, upon call or demand, in the City of Chester, the Boroughs of Clifton Heights, Darby, Lansdowne, Media and Yeadon, and the Townships of Darby, Haverford, Springfield and Upper Darby, all in Delaware County.

**A-00123251. Transport U, LLC** (3154 Penn Avenue, Pittsburgh, Allegheny County, PA 115222), a limited liability company of the Commonwealth—persons, in paratransit service, from points in the County of Allegheny, to points in the Counties of Beaver, Butler, Fayette, Washington and Westmoreland, and return.

**A-00123242 Jose A. Mercado** (1029 Grant Street, Apartment B2, Hazleton, Luzerne County, PA 18202)—persons, in paratransit service, from the City of Hazleton, Luzerne County, to points in the Township of Pittston, Luzerne County, and return.

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.**

**A-00109724, F.2, Am-B. Delbo Associates, Inc. t/d/b/a Shamokin Yellow Cab and Mount Carmel Taxi Service** (212 West Independence Street, Shamokin, Northumberland County, PA 17872), a corporation of the Commonwealth, inter alia—persons in paratransit service, between points in the Boroughs of Mt. Carmel, Kulpmont and Marion Heights and the Township of Mt. Carmel, Northumberland County, and from said territory to points in Pennsylvania, and return: *So As To Permit* the transportation of persons, in paratransit service, between points in the Counties of Northumberland, Schuylkill, Columbia, Montour, Union, Snyder, Dauphin, Carbon and Lehigh, and from points in said territory to points in Pennsylvania, and return.

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

**A-00123244. Atlantic Logistics Agency, Inc.** (12 West King Street, Malvern, Chester County, PA 19335), a corporation of the State of Delaware—contract carrier—persons in paratransit service, for The Pilots Association of the Delaware River and Bay, in the City and County of Philadelphia and the Counties of Delaware and Chester. *Attorney:* Patrick Malloy, P. O. Box 557, Troutville, VA 24175.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2289. Filed for public inspection November 17, 2006, 9:00 a.m.]

## Telecommunications

**A-311372F7002. The United Telephone Company of Pennsylvania d/b/a Embarq and YMAX Communications Corporation.** Joint petition of The United Telephone Company of Pennsylvania d/b/a Embarq and YMAX Communications Corporation for approval of an interconnection, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Embarq and YMAX Communications Corporation, by its counsel, filed on November 2, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection, collocation and resale 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 United Telephone Company of Pennsylvania d/b/a Embarq and YMAX Communications Corporation 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. 06-2290. Filed for public inspection November 17, 2006, 9:00 a.m.]

## Telecommunications Service

**A-311429F0002AMA. Globetel, Inc.** Application of Globetel, Inc. for approval to offer, render, furnish or supply telecommunications services to the public as a facilities-based competitive local exchange carrier in the service territory of The United Telephone Company of Pennsylvania t/a Embarq Pennsylvania.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before December 4, 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:* Globetel, Inc.

*Through and By Counsel:* Kristopher Twomey, Esquire, 1519 East 14th Street, Suite A, San Leandro, California 94577.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2291. Filed for public inspection November 17, 2006, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #06-167.1, Repairs to Built-Up Roof at Pier 78 South until 2 p.m. on Thursday, December 14, 2006. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available November 21, 2006. Additional information and project listings may be found at [www.philaport.com](http://www.philaport.com). The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations. Bidders must provide to the Procurement Department, in writing, the names of individuals that will be attending prebid meetings. This information is needed 24 hours prior to the meeting. Fax to (215) 426-6800, Attn: Procurement Department.

A mandatory prebid job site meeting will be held November 30, 2006, 10 a.m. at Pier 78 S., Columbus Blvd. and Snyder Ave. (Pier Entrance Gate, North of Pier 78 S. Annex), Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 06-2292. Filed for public inspection November 17, 2006, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

December 13, 2006      Raymond L. Billotte      9:30 a.m.  
(Service Transfer)

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

ERIC HENRY,  
*Secretary*

[Pa.B. Doc. No. 06-2293. Filed for public inspection November 17, 2006, 9:00 a.m.]