

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, 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 January 24, 2006.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-23-06	East River Bank Philadelphia Philadelphia County	4341 Ridge Avenue Philadelphia Philadelphia County	Commenced Operations

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-17-06	Compass Federal Savings Bank Wilmerding Allegheny County	111 Westinghouse Avenue Wilmerding Allegheny County	Filed
	<i>To:</i> Compass Savings Bank Wilmerding Allegheny County		
	Application represents conversion from a Federally-chartered mutual savings bank to a State-chartered mutual savings bank.		

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-17-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Cira Centre 2929 Arch Street Philadelphia Philadelphia County	Opened
1-17-06	CommunityBanks Millersburg Dauphin County	Village at Sprenkle Drive 1802 Folkemer Circle Manchester Township York County (Limited Service Facility)	Opened
1-19-06	Northwest Savings Bank Warren Warren County	1055 Union Road West Seneca, Buffalo Erie County, NY	Filed
1-20-06	Allegiance Bank of North America Bala Cynwyd Montgomery County	2960 Skippack Pike Lansdale Montgomery County	Filed
1-20-06	Allegheny Valley Bank of Pittsburgh Pittsburgh Allegheny County	333 Allegheny Avenue Oakmont Allegheny County	Filed

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-17-06	Penn Liberty Bank Wayne Delaware County	<i>To:</i> 472 Norristown Road Blue Bell Montgomery County	Effective
		<i>From:</i> 649 West Germantown Pike Plymouth Meeting Montgomery County	
1-19-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> 2014 Cottman Avenue Philadelphia Philadelphia County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
		<i>From:</i> 2935 Bustleton Avenue Philadelphia Philadelphia County	
1-23-06	Fidelity Savings Bank Pittsburgh Allegheny County	<i>To:</i> 100 Broadway Street Carnegie Allegheny County	Filed
		<i>From:</i> 17 West Main Street Carnegie Allegheny County	

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Conversions to Community Charters**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-20-06	Corry Jamestown Credit Union Corry Erie County	Corry	Effective
	Represents conversion from an occupational-based credit union to a community charter; said conversion will be completed by filing Articles of Amendment with the Department of State (see following).		
1-23-06	White Rose Credit Union York York County	York	Filed
	Application represents request for approval to convert from an occupational-based credit union to a community charter.		

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-23-06	Butler Armco Employees Credit Union, Butler, and West Penn Northern Division Employees Federal Credit Union, Arnold Surviving Institution— Butler Armco Employees Credit Union, Butler	Butler	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
1-20-06	Corry Jamestown Credit Union Corry Erie County	Amendment to Article 8 of the Articles of Incorporation provides to a change in the field of membership of said credit union to be: "The membership of Corry Jamestown Credit Union hereby be changed to a Community Charter which will extend the field of membership of the credit union to include persons who live, work, worship, perform volunteer services, attend school, and businesses and other legal entities located in the aforementioned area which constitutes the Corry Area School District. The geographical area includes: Sparta Township in Crawford County; Concord Township, Wayne Township and the City of Corry in Erie County; and Columbus Township and Spring Creek Township in Warren County."	Effective

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 06-184. Filed for public inspection February 3, 2006, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Saint Francis University for Approval of Amendment of Articles of Incorporation

Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions) the Department of Education (Department) will consider the application of St. Francis University to amend its Articles of Incorporation.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without hearing, unless within 30 days after the publication of the notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with Paula Fleck, Chief, Division of Program Services, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623 by 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Paula Fleck at (717) 772-3623 to discuss how the Department may best accommodate their needs.

GERALD L. ZAHORCHAK, D. Ed.,
Acting Secretary

[Pa.B. Doc. No. 06-185. Filed for public inspection February 3, 2006, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0053911 (Sewage)	East Bangor Municipal Authority P. O. Box 539 East Bangor, PA 18013	Northampton East Bangor Borough	Brushy Meadow Creek (1E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0034011 (Sewage)	Bedford Materials Company, Inc. 7676 Allegheny Road Manns Choice, PA 15550	Bedford County Napier Township	UNT 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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0239712	Bear Creek Watershed Authority—Bruin STP 259 Argyle Street Petrolia, PA 16050	Parker Township Bruin Borough Butler County	South Branch Bear Creek 17-C	Y
PA0239721	Bear Creek Watershed Authority—Fairview STP 259 Argyle Street Petrolia, PA 16050	Fairview Township Fairview Borough Butler County	South Branch Bear Creek 17-C	Y
PA0239739	Bear Creek Watershed Authority—Karns City STP 259 Argyle Street Petrolia, PA 16050	Fairview Township Karns City Borough Butler County	South Branch Bear Creek 17-C	Y
PA0094200	Bear Creek Watershed Authority—Petrolia STP 259 Argyle Street Petrolia, PA 16050	Petrolia Borough Fairview Township Butler County	South Branch Bear Creek 17-C	Y
PA0031640	General McLane High School 11771 Edinboro Road Edinboro, PA 16412	Washington Township Erie County	Conneauttee Creek 16-A	Y

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

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

PA0244074, Sewage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. This proposed facility is located in Worcester Township, **Montgomery County**.

Description of Proposed Activity: The applicant proposes to discharge treated sewage from a facility known as Stony Creek Farms WWTF. The facility is located near Township Line Road and North Wales Road.

The receiving stream, a pond discharging to Stony Creek, is in the State Water Plan Watershed 3F and is classified for TSF, MF. The nearest downstream public water supply intake for City of Norristown is located on Schuylkill River at Norristown.

The proposed effluent limits for Outfall 001 are based on a design flow of 42,863 gpd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10			20
Total Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	3.0			6.0
Nitrite + Nitrate an N	10			20
Phosphorus, Total	0.5			1.0
Fecal Coliform	50/100 ml as a geometric mean			
pH	Between 6.0 and 9.0 standard units at all times			
Dissolved Oxygen	Minimum of 6 mg/l at all times			
Temperature (°F)	Monitor and Report			

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

1. Notification of Responsible Operator.
2. Average Weekly Definition.
3. Remedial Measures.
4. No Stormwater.
5. Necessary Property Rights.
6. Small Stream Discharge.
7. Sewage Sludge Disposal.
8. Submit Data for TMDL/WLA Analysis.
9. I-Max Limits.
10. No Discharge Report.
11. 2/Month Monitoring.
12. UV Disinfection.
13. Laboratory Certification.

PA0244091, Industrial Waste, SIC 3823, **Patriot Sensors & Controls Corporation, Ametek Drexelbrook Division**, 205 Keith Valley Road, Horsham, PA 19044-1499. This existing facility is located in Horsham Township, **Montgomery County**.

Description of Proposed Activity: Issuance of NPDES permit for discharge of treated groundwater from a foundation groundwater trench to a storm sewer draining to Park Creek. Groundwater will be treated through a single activated carbon treatment unit prior to discharge.

The receiving stream, Park Creek, is in the State Water Plan watershed 2F and is classified for WWF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua PA, SE Division is located on Neshaminy Creek 25 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.009 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum mg/l</i>
1,1-Dichloroethene			0.00026		0.00065
1,1,1-Trichloroethane			0.0015		
Influent 1,1-Dichloroethene			Monitor		0.00375
Influent 1,1,1-Trichloroethane			Monitor		

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

1. Remedial Measures if Public Nuisance.
2. Change of Ownership.
3. Proper Sludge Disposal.
4. Monitor System.

5. Instantaneous Maximum Limitations.
6. Twice per Month Monitoring.
7. Specification of Test Method.

The EPA waiver is in effect.

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

PAS402202, Industrial, SIC Code 4953, **RPM Recycling, Inc.**, P. O. Box 639, Wind Gap, PA 18091. This proposed facility is located in Wind Gap Borough and Plainfield Township, **Northampton County**.

Description of Proposed Activity: Issuance of an NPDES permit.

The receiving stream, UNT to Little Bushkill Creek, is in the State Water Plan Watershed 01F and is classified for HQ-CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of N/A.

<i>Discharge Parameter</i>	<i>Units</i>	<i>Sample Type</i>	<i>Measurement Frequency</i>
Chemical Oxygen Demand	mg/l	1 Grab	1/6 months
Oil and Grease	mg/l	1 Grab	1/6 months
pH	Standard Unit	1 Grab	1/6 months
Total Dissolved Solids (TDS)	mg/l	1 Grab	1/6 months
Total Organic Carbon (TOC)	mg/l	1 Grab	1/6 months
Barium (Total)	mg/l	1 Grab	1/6 months
Cadmium (Total)	mg/l	1 Grab	1/6 months
Chromium (Total)	mg/l	1 Grab	1/6 months
Lead (Total)	mg/l	1 Grab	1/6 months
Mercury (Total)	mg/l	1 Grab	1/6 months
Magnesium			
Total	mg/l	1 Grab	1/6 months
Dissolved	mg/l	1 Grab	1/6 months
Selenium (Total)	mg/l	1 Grab	1/6 months
Silver (Total)	mg/l	1 Grab	1/6 months
Ammonia	mg/l	1 Grab	1/6 months
Arsenic (Total)	mg/l	1 Grab	1/6 months
Cyanide (Total)	mg/l	1 Grab	1/6 months
Nitrate plus Nitrite Nitrogen	mg/l	1 Grab	1/6 months
Iron (Total)	mg/l	1 Grab	1/6 months

PA-0037290-A1, Sewage, **Pennsylvania Utility Company, Inc.**, **Tamiment Resort**, Bushkill Falls Road, Bushkill, PA 18341. This proposed facility is located in Lehman Township, **Pike County**.

Description of Proposed Activity: Amend NPDES Permit

The receiving stream, UNT to Little Bushkill Creek, is in the State Water Plan Watershed 1D and is classified for HQ-CWF. The nearest downstream public water supply intake for East Stroudsburg Municipal Authority is located on the Delaware River below the point of discharge.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10.0		20.0
Total Suspended Solids	30.0		60.0
NH ₃ -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.3		18.0
Phosphorus as "P"	1.0		2.0
Dissolved Oxygen	A minimum of 7.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.6		0.15
Nitrate/Nitrite-N	10.0		20.0

The proposed effluent limits for Outfall 001 based on a design flow of 1.15 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	5.0		10.0
Total Suspended Solids	5.0		10.0
NH ₃ -N			

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
(5-1 to 10-31)	1.0		2.0
(11-1 to 4-30)	1.0		2.0
Phosphorus as "P"	0.3		0.6
Dissolved Oxygen	A minimum of 7.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Nitrate/Nitrite-N	6.0		12.0

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

Application No. PA 0247936, Sewage, **Twin Cove Park Campground**, 1445 Suedburg Road, Pine Grove, PA 17963. This facility is located in Union Township, **Lebanon County**.

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

The receiving stream, a UNT to Swatara Creek, is in Watershed 7-D, and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Lebanon Water Authority is located on the Swatara Creek, approximately 11 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.045 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	4.0	8.0
(11-1 to 4-30)	12	24
NO ₂ -N + NO ₃ -N		
Total Kjeldahl Nitrogen		Monitor and Report
Total Phosphorus		Monitor and Report
Total Residual Chlorine		Monitor and Report
Dissolved Oxygen	0.3	1.0
pH		Minimum of 5.0 at all times
Fecal Coliform		From 6.0 to 9.0 inclusive
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	5,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-474, (412) 442-4000.

PA0036331, Sewage, **George and Marion Fleehler**, 21 Timbercrest Circle, Cecil, PA 15321. This application is for renewal of an NPDES permit to discharge treated sewage from George and Marion Fleehler Sewage Treatment Plant in Cecil Township, **Washington County**.

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

Outfall 001: existing discharge, design flow of 0.05 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	1.9			3.8
(11-1 to 4-30)	4.3			8.6

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			0.2
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.1			
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0218634, Sewage, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. This application is for renewal of an NPDES permit to discharge treated sewage from Heilwood STP in Pine Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Yellow Creek, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Central Indiana County Water Authority on Yellow Creek.

Outfall 001: existing discharge, design flow of 0.045 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	11.0			22.0
(11-1 to 4-30)	25.0			50.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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

WQM Permit No. 1505428, Sewerage, **Borough of Spring City**, 6 South Church Street, Spring City, PA 19475. This proposed facility is located in Spring City Borough, **Chester County**.

Description of Action/Activity: Installation of wastewater flow equalization tank and appurtenances and maximum monthly flow rate.

WQM Permit No. 4605204, Industrial, **Sunoco Inc. R & M**, 350 Eagleview Boulevard, Suite 300, Exton, PA 19341. This proposed facility is located in Lower Merion Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a groundwater remediation system.

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

WQM Permit No. 0105409, Sewerage, **Borough of Hanover**, 44 Frederick Street, Hanover, PA 17331. This proposed facility is located in Conewago Township, **Adams County**.

Description of Proposed Action/Activity: Application for construction to expand the sanitary wastewater service to the Edgemoor area Conewago Township and the northern portion of Hanover Borough.

WQM Permit No. WQG02360601, Sewerage, **Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552. This proposed facility is located in Mount Joy Borough, **Lancaster County**.

Description of Proposed Action/Activity: Replacement of Pump Station No. 7 (Wood Street) with a new submersible pump station.

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

WQM Permit No. 2075402, Sewerage, **North and South Shenango Joint Municipal Authority**, 3397 Dam Road, Jamestown, PA 16134. This proposed facility is located in North Shenango Township and South Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: This project is to upgrade the pump, motor, backup engine, and/or electrical component replacements and upgrades to four of the Authority's existing interceptor pump stations. Work at the stations

is also to include the installation of suction and discharge connections for bypasses around the pump stations to be facilitated by a portable, diesel-powered pump. This piece of equipment is to be stored and housed in a garage-type building to be constructed at 1—3, where the diesel pump will be normally hooked up for pump station backup.

WQM Permit No. 4305201, Industrial Waste, **Duferco Farrell Corporation**, 15 Roemer Blvd., Farrell, PA 16121-2299. This proposed facility is located in Farrell City, **Mercer County**.

Description of Proposed Action/Activity: This project is for the permitting/installation of modifications to its existing No. 7 Pickle Line Rinse Water neutralization and Treatment System which discharges to the plant sewer system by means of existing internal Suboutfall 104.

WQM Permit No. 2489405, Sewerage, Amendment No. 1, **Borough of Ridgway**, P. O. Box 149, Ridgway, PA 15853-0149. This proposed facility is located in Borough of Ridgway, **Elk County**.

Description of Proposed Action/Activity: This project is for the operating of organic load capacity of the wastewater treatment plant.

WQM Permit No. 1606401, Sewerage, **James Kapp, Rocky River Development**, 8100 Ohio River Boulevard, Pittsburgh, PA 15202. This proposed facility is located in Perry Township, **Clarion County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage treatment facility to serve the Rocky River Development.

WQM Permit No. 1606402, Sewerage, **Monroe Township**, 17956 Route 68, Sligo, PA 16255. This proposed facility is located in Monroe Township, **Clarion County**.

Description of Proposed Action/Activity: This project is for a new sewage treatment facility to serve the Village of Williamsburg and the surrounding area.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011506004	Swinehart Realty Associates, LP Swinehart Subdivision P. O. Box 1906 West Chester, PA 19380	Chester	West Brandywine Township	Beaver Creek/Culbertson Run (HQ-TSF-MF)
PAI011506005	Phoenixville Area YMCA Phoenixville YMCA Expansion 2460 Boulevard of the Generals West Norriton, PA 19403	Chester	Schuylkill Township	Pickering Creek (HQ-TSF)
PAI011506005	Silvi Realty Development 212 East High Street Suite 201 Pottstown, PA 19464	Chester	East Vincent Township	UNT Schuylkill River (HQ-TSF)
PAI011506007	The Stonewall Links, LP 375 Bulltown Road P. O. Box 330 Elverson, PA 19530	Chester	East Nantmeal Township	French Creek (EV)
PAI012306001	Gannon Companies, LLC Gannon Development 10 Davis Avenue, 2nd Fl Frazer, PA 19355	Delaware	Edgmont Township	Ridley Creek (HQ-TSF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q071-2R	Cedar Fair, LP 3830 Dorney Park Road Allentown, PA 18104	Lehigh	South Whitehall Township	Little Lehigh Creek HQ-CWF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024806001	Department of Transportation Attn: Gerald Fry, P. E. 1713 Lehigh St. Allentown, PA 18103	Northampton	Williams Township	Frya Run HQ-CWF MF

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041406002	Samuel E. King Dev. Samuel E. King 131 Back Road Rebersburg, PA 16872	Centre	Miles Township	Elk Creek HQ-CWF
PAI041406001	Grove Park Subdivision Tomasz Kulakowski Grove Park Associates, Inc. P. O. Box 726 Lemont, PA 16851	Centre	Benner Township	Buffalo Run HQ-CWF

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

Cambria County Conservation District: 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931, (814) 472-2120.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI051105005	Dennis Storm 374 Hanlon Road Gallitzin, PA 16641	Cambria	Clearfield Township	Chest Creek (HQ)

Greene County Conservation District: 93 East High Street, Room 215, Waynesburg, PA 15370, (724) 852-5278.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI053005002	Allegheny Energy Supply Co., LLC 800 Cabin Hill Drive Greensburg, PA 15601-1689	Greene	Monongahela and Cumberland Townships	Little Whiteley Creek (WWF) Monongahela River (WWF)

Washington County Conservation District: 602 Courthouse Square, Washington, PA 15301, (724) 228-6774.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI056306001	A & S Landscaping 1840 Washington Road Canonsburg, PA 15317	Washington	North Strabane Township	Little Chartiers Creek (HQ-WWF)

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

Jefferson Conservation District: 1514 Route 28, Brookville, PA 15825, (814) 849-7463.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI063306001	SR 0028 Section 507-Hazen 3R Department of Transportation 2550 Oakland Ave. Indiana, PA 15701	Jefferson	Pinecreek Township Warsaw Township	Little Mill 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 include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (Department) of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0906502, Public Water Supply

Applicant	Bucks County Water and Sewer Authority 1275 Almshouse Road Warrington, PA 18976
Township	Solebury
County	Montgomery
Responsible Official	John Butler
Type of Facility	PWS
Consulting Engineer	Carroll Engineering Corporation
Application Received Date	January 19, 2006
Description of Action	Installation of an arsenic removal system.

Permit No. 4606501 , Public Water Supply	
Applicant	Exelon Nuclear Limerick Generating Station

Township	Limerick
County	Montgomery
Responsible Official	Randy S. Eddinger
Type of Facility	PWS
Consulting Engineer	Ruby Engineering
Application Received Date	January 20, 2006
Description of Action	Installation of an arsenic reduction system.

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

Permit No. 0605523, Public Water Supply.

Applicant	Mohrsville Water Supply Authority
Municipality	Centre Township
County	Berks
Responsible Official	Alice Renshaw, Chairperson 378 Main Street Mohrsville, PA 19541-8840
Type of Facility	Public Water Supply
Consulting Engineer	Michael W. Wellet, P. E. Hammerhead Engineering & Environmental Services LLC 107 Hillside Terrace Califon, NJ 4119
Application Received Date	12/5/2005
Description of Action	Installation of arsenic treatment to existing water system.

Application No. 3605515, Minor Amendment, Public Water Supply.

Applicant	Gerald Cox
Municipality	Little Britain Township
County	Lancaster
Responsible Official	Gerald T. Cox, Property Owner 215 Fremont Road Nottingham, PA 19362
Type of Facility	Public Water Supply
Consulting Engineer	Daniel C. Leandri, P. E. Earth Tech 2 Market Plaza Way Mechanicsburg, PA 17055
Application Received Date	12/19/2005
Description of Action	Installation of GAC treatment to address the gasoline contamination of the source water serving the noncommunity Pasquale Pizza shop. Treatment will also include softening, UV disinfection and reverse osmosis.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

Slutzsky Prop., Northampton Township, **Bucks County**. Edward E. Prout, Jr., American Resource Consultants, Inc., 1000 W. Broad St., Quakertown, PA 18951 on behalf of Harvey Slutzsky, 40 Tulip Road, Holland, PA 18966 has submitted a Notice of Intent to Remediate. Soil at the site was impacted with No. 2 fuel oil. The intended use of the property will remain residential.

Secane Dry Cleaners, Upper Darby Township, **Delaware County**. David Farrington, P.G., Walter B. Satterthwaite Assoc., Inc., 720 Old Fern Hill Rd., West Chester, PA 19380 on behalf of Avi Nechemia, Golden Gate Electronics, 1417 Callowhill St., Philadelphia, PA 19123 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with chlorinated solvents and MTBE.

Lustrik Corp., City of Philadelphia, **Philadelphia County**. Richard Johnson, RT Environmental Svc., Inc., 215 W. Church Road, King of Prussia, PA 19406 on behalf of Tom Vezzosi, T&R Realty, Inc., 7701 Beech Lane, Wyndmoor, PA 19038 has submitted a Notice of Intent to Remediate. Soil and groundwater were impacted with No. 4 fuel oil, MTBE and chlorinated solvents. The future owner will continue to use the site as a metal finishing and anodizing facility.

Frankford Candy & Candy Co., City of Philadelphia, **Philadelphia County**. Michael Christie, Penn E & R, Inc., 2755 Bergery Road, Hatfield, PA 19440 on behalf of Norman Milan, Stormin Warehousing, LP, 3248 Stonegate Drive, Huntingdon Valley, PA 19006 has submitted a Notice of Intent to Remediate. Soil at the site was impacted with Nos. 4 and 6 fuel oil. The proposed future use of the property will be nonresidential for warehousing. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on December 27, 2005.

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

Former Carlisle Mailroom, Borough of Carlisle, **Cumberland County**. Secor International, Inc., 102 Pickering Way, Suite 200, Exton, PA 19341, on behalf of Atlantic Richfield Company, 102 Pickering Way, Suite 200, Exton, PA 19341 and Judith Valentine and John Osborn, Jr., 5249 Strathmore Drive, Mechanicsburg, PA 17050, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with gasoline releases from pre-Act 32 underground storage tanks. The site is zoned for commercial use.

Newark Paperboard Products, Mercer Division, Manchester Township, **York County**. EPSYS Corporation, 1414 North Cameron Street, Suite A, Harrisburg, PA 17103, on behalf of Rick Theriault, The Newark Group, Inc., 100 South Kimball Street, Bradford, MA 01835 and Robert H. Mullen, The Newark Group, Inc., 20 Jackson Drive, Cranford, NJ 07016, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil. The applicant intends to remediate the site to meet the Statewide Health Standards. The site will continue to be a paperboard products manufacturer and distribution facility.

Former Fincor Automation, Inc., Springettsbury Township, **York County**. Environmental Strategies Consulting, LLC, 11911 Freedom Drive, Suite 900, Reston, VA 20190-5628, on behalf of Emerson Electric Company, 8000 West Florissant Avenue, St. Louis, MO 63136-8506, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs. The site will

continue to be used as industrial property and will be remediated to either a Statewide Health or a Site-Specific Standard.

Stoudts Service Station, Alsace Township, **Berks County**. Harper Environmental Associates, Inc., 1811 Hale Hollow Road, Bridgewater Corners, VT 05035, on behalf of Byron Stoudt, Stoudt's Service Station, 1980 Mount Laurel Road, Alsace Township, PA 19522, submitted a Notice of Intent to Remediate site soils and groundwater contaminated by unleaded gasoline and kerosene from removal of storage tanks in 1996. The site will continue to be used as an automotive repair facility. The applicant proposes to remediate the site to a Statewide Health Standard.

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

Tim Gundlach Property Cleanup, Franklin Township, **Columbia County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110 on behalf of Tim Gundlach, 436 Main Street, Wilburton, PA 17888 has submitted a Notice of Intent to Remediate soil contaminated with benzene and naphthalene. The applicant proposes to remediate the site to meet the Statewide Health Standard

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

Brookville Chevrolet, City of Brookville, **Jefferson County**. David J. Birchard, Environmental Remediation & Recovery Inc., 5719 Rt. 6N, Edinboro PA 16412 on behalf of Ludwig M. Druchniak, LT Land Partnership, 1 East Main Street, Brookville PA 15825 has submitted a Notice of Intent to Remediate. Site presently operates as an automobile dealership. Historical records indicate underground storage tanks were located at the site greater than 50 years ago. During removal, grossly impacted soils were identified. Contaminants of concern appear to be leaded gasoline constituents. NIR published December 22, 2005 in the *Courier Express/Tri-County Sunday/Jeffersonian Democrat*.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage or disposal facility.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit Application No. 100361. Rustick LLC., 19 Ness Lane, Kane, PA 16735, Sergeant Township, McKean County. The application is a major permit modification to construct and operate a railroad siding and to increase the average and maximum daily volumes at the McKean County Landfill. This application was subject to the Local Municipality Involvement Process Policy (LMIP) and the Alternative Project Timeline (APT) requirement. The LMIP was held on November 18, 2005, and the APT was finalized on January 11, 2006. The application was found to be administratively complete on January 17, 2006. The application was received by the Northwest Regional Office on October 6, 2005.

Comments concerning the application should be directed to Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest

Regional Office, (814) 332-6848. TDD users may contact the Department of Environmental Protection through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

PLAN APPROVALS

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

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

06-05085A: New Morgan Landfill Co., Inc. (P. O. Box 128, Morgantown, PA 19543-0128) for installation of an additional enclosed ground flare for the control of gaseous emissions from the municipal solid waste landfill in the Borough of New Morgan, **Berks County**. The landfill is subject to 40 CFR Part 60, Subpart WWW, Standards of Performance for New Stationary Sources and 40 CFR Part 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants.

36-03021A: J. Walter Miller Co. (411 East Chestnut Street, Lancaster, PA 17602) to vent the Disamatic Molding Line dust collector into the outdoor atmosphere in the City of Lancaster, **Lancaster County**.

36-05001C: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) for modification of perlite expanders at their plant in East Donegal Township, **Lancaster County** facility.

36-05019G: Anvil International, Inc. (1411 Lancaster Avenue, Columbia, PA 17412) for construction of a new molding line at the foundry in Columbia Borough, **Lancaster County**.

67-05005E: PPL Brunner Island, LLC (2 North 9th Street, Allentown, PA 18101) for construction of a limestone and gypsum handling operation at the Brunner Island Steam Electric Station in East Manchester Township, **York County**.

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

33-002C: Owens Brockway Glass Container, Inc., Plant No. 19 (3831 Route 219 Brockport PA 15823) for modification of the HEST system in Snyder Township, **Jefferson County**. The facility is a Title V Facility.

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.

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

09-0102B: Soil Technology, Inc. (7 Steel Road East, Morrisville, PA 19067) for an increase to the emission limitations for PM, CO and Benzene (C₆H₆) established in the State-only Operating Permit, and the modification of the operating temperatures for the primary treatment unit and secondary treatment unit (afterburner) in Falls Township, **Bucks County**. The new emission limitations are: (a) PM shall not exceed 10.7 tons per year; (b) CO shall not exceed 15.2 tons per year; and (c) Benzene shall not exceed 0.12 pound per hour. The permit is for a non-Title V (State-only) facility. The permit will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

40-309-037C: Polyglass USA, Inc. (555 Oak Ridge Drive, Hazleton, PA 18201) for construction of three new primary mixers and two new secondary mixers and for installation of a coalescing filter and carbon filter to replace an existing recuperative oxidizer at their asphalt roofing facility in Hazle Township, **Luzerne County**. The

facility is not a Title V facility. The construction of the sources will result in potential PM emissions of 9.1 tons per year and 7.14 tons per year of VOCs. Additionally, the asphalt roofing equipment is subject to Subpart UU of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.470—60.474. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

48-304-032A: Victaulic Co. of America (4901 Kesslersville Road, Easton, PA 18045) for construction and operation of a second cold core box system, one shell making machine, the supporting sand handling systems and associated air cleaning devices in Forks Township, **Northampton County**. A cartridge filter will be utilized to capture particulate emissions from the core sand handling systems. A packed bed scrubber will be utilized to control the cold box core machine. The expected particulate emission rate from the cartridge filters will be less than 0.02 grain/dscf. The VOC emission rate from the packed bed scrubber will be 0.12 pound per hour. The company will operate the equipment in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Title V Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

36-03160A: G/S/M Industrial, Inc. (P. O. Box 607, Ephrata, PA 17522) for construction of a new coating booth in East Hempfield, **Lancaster County**. This is a non-Title V (State-only) facility. Standard recordkeeping and operating restrictions will be included to keep the facility operating within all applicable air quality requirements.

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

19-320-005A: Press Enterprise, Inc. (3185 Lackawanna Avenue, Bloomsburg, PA 17815) for construction of an eight color heatset web offset lithographic printing press and two associated natural gas-fired dryers as well as for reactivation of an eight color nonheatset web offset lithographic printing press in Scott Township, **Columbia County**.

The VOC and volatile HAP emissions from the heatset press and two associated dryers will be controlled by an existing air cleaning device, a regenerative thermal oxidizer, which is currently used, and will continue to be used, for the control of VOC and volatile HAP emissions from an existing eight color heatset web offset lithographic printing press. The resultant VOC and volatile HAP emissions from the new heatset press and two associated dryers are not expected to exceed 3.28 and .83 tons per year, respectively. The VOC and volatile HAP emissions from the reactivated nonheatset press, when added to the VOC and volatile HAP emissions from two additional existing nonheatset presses, will be no greater than 7.21 and 1.73 tons per year, respectively.

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

The Department of Environmental Protection's (Department) review of the information submitted by Press Enterprise, Inc. indicates that the new heatset press and two associated dryers and the reactivated nonheatset

press will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval for the construction of the heatset web offset press and two associated dryers as well as for the reactivation of the nonheatset press.

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

1. The only fuel to be used in the two dryers associated with the heatset press and in the regenerative thermal oxidizer shall be natural gas.

2. The efficiency of the VOC capture system associated with the two dryers shall be 100%.

3. The VOC destruction efficiency of the regenerative thermal oxidizer shall be equal to, or greater than, 98%.

4. The combustion chamber of the regenerative thermal oxidizer shall be maintained at a temperature of at least 1,575°F at any time the heatset press is operating.

5. The regenerative thermal oxidizer shall be equipped with instrumentation to continuously monitor and record the temperature of the combustion chamber as well as incorporate interlocks to prevent operation of the dryers at any time the regenerative thermal oxidizer combustion chamber temperature is less than 1,575°F.

6. The inks used by the heatset press shall contain no more than 50% VOCs, by weight, and shall not contain any detectable amount of volatile HAPs.

7. The fountain solution additive used in the heatset press shall not contain more than .5 pound of VOCs and .5 pound of volatile HAPs per gallon of additive.

8. The vapor pressure of the fountain solution additive used in the heatset press shall not exceed 72.4 millimeters of mercury at 20°C.

9. The fountain solution used in the heatset press shall not contain more than 6 ounces of fountain solution additive for every gallon of water.

10. The blanket wash solution used for the heatset press shall contain no more than .11 pound of volatile HAPs per gallon of solution.

11. The vapor pressure of the blanket wash solution used on the heatset press shall be no greater than 3 millimeters of mercury at 20°C.

12. With the exception of "specialty inks," the inks used by the nonheatset press shall not contain more than 9% VOCs, by weight, and shall not contain any detectable amount of volatile HAPs. The "specialty inks" shall not contain more than 25% VOCs, by weight, and shall not contain any detectable volatile HAPs.

13. The fountain solution additive used in the non-heatset press shall not contain more than .5 pound of VOCs and .5 pound of volatile HAPs per gallon of additive.

14. The vapor pressure of the fountain solution additive used in the nonheatset press shall not exceed 72.4 millimeters of mercury at 20°C.

15. The fountain solution used in the nonheatset press shall not contain more than 6.5 ounces of fountain solution additive for every gallon of water.

16. The blanket wash solution used for the nonheatset press shall contain no more than .11 pound of volatile HAPs per gallon of solution.

17. The vapor pressure of the blanket wash solution used on the nonheatset press shall be no greater than 3 millimeters of mercury at 20°C.

18. The total combined amount of specialty inks used by all of the nonheatset presses onsite shall not exceed 17,872 pounds in any 12-consecutive month period.

19. The total combined amount of fountain solution additive used by all of the heatset presses onsite shall not exceed 5,600 gallons in any 12-consecutive month period.

20. The total combined amount of fountain solution additive used by all of the nonheatset presses onsite shall not exceed 6,600 gallons in any 12-consecutive month period.

21. The total combined amount of blanket wash used by all of the heatset presses onsite shall not exceed 700 gallons in any 12-consecutive month period.

22. The total combined amount of blanket wash used on all of the nonheatset presses onsite shall not exceed 1,430 gallons in any 12-consecutive month period.

23. The total combined VOC emissions from all heatset presses onsite shall not exceed 5.62 tons in any 12-consecutive month period and the total combined volatile HAP emissions shall not exceed 1.42 tons in any 12-consecutive month period.

24. The total combined VOC emissions from all nonheatset presses onsite shall not exceed 7.21 tons in any 12-consecutive month period and the total combined volatile HAP emissions shall not exceed 1.73 tons in any 12-consecutive month period.

25. All solvent-wet rags or cloths used for cleanup shall be stored in closed containers when not in use. Solvent-wet rags or cloths shall not be treated by intentionally promoting the evaporation of contained solvents.

26. Records shall be maintained of the identity and amount of each ink, fountain solution additive and blanket wash solution used in each of the heatset and nonheatset presses each month.

27. Stack testing shall be performed to determine the VOC destruction efficiency occurring in the regenerative thermal oxidizer, and the VOC emission rate occurring from the regenerative thermal oxidizer's exhaust, while both heatset presses ducted to the regenerative thermal oxidizer are in operation.

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

10-298D: ESM Group, Inc. (955 Saxonburg Boulevard, Saxonburg, PA 16056) for installation of a Magnesium Pulverizing Operation in the Township of Clinton, **Butler County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval for their plant in the Township of Clinton, **Butler County**. This plan approval will authorize the installation of a Magnesium Pulverizing Operation. The process will entail the pulverizing of clean ground Magnesium ingots/chips with appropriate control devices. The operation will reduce the ground Magnesium to a finer powder form. The facility has a

current State-only Operating Permit. This plan approval will be incorporated into the State-only Operating Permit at a later date.

Based on the information provided by the applicant and Department's own analysis the particulate emissions from the modification will be less than 1 ton/yr. Conditions of the plan approval include the following:

- A magnehelic gauge (or equivalent) shall be permanently installed and maintained at a conveniently readable location to indicate the pressure drop across the cyclone collector associated with the Pulverizer. The gauge employed shall have a scale such that the expected normal reading shall be no less than 20% of full scale and be accurate within plus or minus 2% of full scale reading.
- The facility shall not process more than 936 tons of magnesium from this operation in any 12-month rolling period.
- The facility shall keep daily records of material processed in an onsite facility log when this unit is operating. The average material processed in the current month shall be added to the previous 11 months to assure compliance with Condition No. 3. Records shall be kept for a period of 5 years and be made available to the Department upon request.
- The taps for the magnehelic gauge shall be checked daily for blockage whenever the process is in operation.
- Daily reading of the magnehelic gauge shall be taken and entered into a facility log whenever the unit is in operation. The log shall be kept onsite and be retained for a period of 5 years.
- The facility shall notify the Department at least 2 weeks prior to any actual change in material use.
- The grinding process in Building No. 4 shall not be in operation whenever the pulverizing process is online.
- The Permittee shall notify the Department in writing, within 60 days of initial startup, of the pressure drop range developed across the cyclone collector during shutdown.
- The applicant shall maintain the sources and air cleaning device in accordance with the manufacturer's specifications and consistent with good air pollution control practices.

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

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. PA-43-339A.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted on the comments received during the public comment period. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, when the

Department determines notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to John F. Guth, Regional Air Quality Manager, Department of Environmental Protection, Northeast Regional Office, 230 Chestnut Street, Meadville, PA, 16335, (814) 332-6940.

24-083I: Carbone of America Industries, Corp. (215 Stackpole Street, St. Marys, PA 15857) for modification of emission limits (SOx) from plan approval 24-083E in St. Marys City, **Elk County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source: Current Title V conditions are applicable for sources 145—148, 402, 403 and 403A with the exception of the SOx emission limitations. The new SOx limitations are 20.7 tpy and 7.5 #/hr.

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

AMS 05129: Sunoco, Inc.—R & M (3144 Passyunk Avenue, Philadelphia, PA 19145) for modification of the 866 Unit Cat Feed Hydrotreater to have the ability to make Ultra Low Sulfur Diesel while preserving the ability to switch back to pretreating the feed to the 868 Fluid Catalytic Cracking Unit in the City of Philadelphia, **Philadelphia County**. Emissions increases from the project will be less than 2 tons per year each for NOx, CO, VOCs, SO₂ and PM. The plan approval will contain operating, testing, monitoring, recordkeeping and reporting 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.

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

63-00110: World Kitchen, Inc. (100 Eighth Street, Charleroi, PA 15022) for manufacturing of pressed and blown glass at their Charleroi Plant in Charleroi, PA, **Washington County**. This is a Title V Operating Permit Renewal.

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

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

46-00146: Republic Environmental Systems (PA), Inc. (2869 Sandstone Drive, Hatfield, PA 19440) for operation of a Hazardous Waste Treatment, Storage, Disposal Facility located in Hatfield Township, Montgomery County. The permit is for a non-Title V (State-only) facility. The facility has elected to cap HAPs to less than 10 tons per year (individual HAP) and less than 25 tons per year (combination HAPs), and VOCs to less than 25

tons per year; therefore the facility is a Synthetic Minor. The permit incorporates the plan approvals 46-313-057E and PA-46-0146A. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00228: Plymouth Meeting Mall, Inc. (500 Germantown Pike, Suite L-150, Plymouth Meeting, PA 19462) for operation of a retail shopping mall in Plymouth Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. Sources of air emissions are two boilers and one emergency generator. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

39-00074: SHI APD Cryogenics, Inc. (1833 Vultee Street, Allentown, PA 18103) for a State-only (Synthetic Minor) Operating Permit in Allentown City, **Lehigh County**. The sources at the facility include three batch vapor degreasers and two cold cleaning degreasers. The sources have the potential to emit major quantities of regulated pollutants (HAPs) above Title V thresholds. The facility shall record solvent use, solvent waste and emission calculations to verify compliance with NESHAP, 40 CFR, Part 63, Subpart T. The emissions limitation under Subpart T shall be 30.7 lb/sq. ft./month (based on 3-month rolling average). The proposed State-only (Synthetic Minor) Operating Permit contains other applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to verify facility compliance with Federal and State air pollution regulations.

40-00044: Modern Plastics Corp. (152 Horton Street, Wilkes-Barre, PA 18702) for a State-only Operating Permit in Wilkes-Barre City, **Luzerne County**. The sources at the facility include one wood chip boiler, one spray booth and one heat tunnel. The sources do not have the potential to emit major quantities of regulated pollutants above Title V thresholds. The proposed State-only Operating Permit contains applicable requirements for monitoring, recordkeeping and reporting used to verify facility compliance with all applicable Federal and State air pollution regulations.

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

36-03020: The Bachman Co. (51 Spring Valley Road, Reading, PA 19605) for operation of their pretzel manufacturing plant in Ephrata Borough, **Lancaster County**. This is a non-Title V (State-only) facility. The operating permit will contain appropriate conditions designed to keep the facility operating within all applicable air quality requirements.

36-03050: Dorma Door Controls, Inc. (Dorma Drive, Drawer AC, Reamstown, PA 17567) for an operating permit to operate their door controls operation at their site in East Cocalico Township, **Lancaster County**. Emissions are estimated to be less than 10 tons per year of VOCs. The vapor degreaser is subject to the conditions referenced in 40 CFR Part 63, Subpart T. The State-only Operating Permit will contain additional recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

17-00041: Allegheny Clearfield, Inc. (114 Appalachian Drive, Firemen's Industrial Park, Clearfield, PA 16830) for operation of a powdered metal parts sintering facility in Lawrence Township, **Clearfield County**.

The facility incorporates nine sintering furnaces, a sizing operation, machining operations, packing operations, a solvent parts washer and several small natural gas-fired heating units. The facility is expected to emit more than 15.11 tons of VOCs, 5.97 tons of PM (all of which could possibly have an aerodynamic diameter of 10 or less microns, also known as PM10), 2.02 tons of volatile HAPs, .81 ton of NOx, .68 ton of CO and .005 ton of SOx per year.

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

The Department of Environmental Protection proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and emission of air contaminants as well as conditions previously established in Operating Permit 17-399-012A, issued on October 25, 1995.

These previously-established conditions include:

1. A condition limiting the PM emissions from any sintering furnace processing parts containing a metal-bearing lubricant to .15 pound per hour.
2. A condition limiting the metal powders used to make the parts processed through the sintering furnaces to an organic lubricant content of no greater than 1.0%, by weight.
3. A condition requiring the atmosphere in the sintering furnaces to contain at least 3% hydrogen.
4. A condition requiring each sintering furnace to be equipped with a flame curtain located between the parts entry and the preheat zone.
5. A condition prohibiting the sintering furnaces from processing parts which have previously been treated with oil.
6. A condition prohibiting the sintering furnace exhaust stacks from being cleaned by high temperature cleanup ("burnout") procedures.
7. A condition limiting the amount of VOC-containing sizing material used in the sizing operation to 3,000 gallons in any 12-consecutive month period.
8. A condition requiring the maintenance of records of the identity and amount of VOC-containing sizing material used each month.

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

1. A condition limiting the VOC emissions from the machining operations to less than 2.7 tons in any 12-consecutive month period and the volatile HAPs emissions to no greater than 1.0 ton in any 12-consecutive month period.
2. A condition limiting the VOC emissions from the packing operations to less than 2.7 tons in any 12-consecutive month period and the volatile HAP emissions to no greater than 1.0 ton in any 12-consecutive month period.

3. Conditions requiring the maintenance of records of the identity, amount, VOC content, volatile HAP content and acetone content of each VOC-containing, volatile HAP-containing and acetone-containing material used in the machining operations and packing operations.

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

03-00229: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) for operation of a coal preparation plant at Logansport Mine in Bethel Township, **Armstrong County**.

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

43-00039: Campbells Asphalt Products (73 Glacial Till Road, Grove City, PA 16127-4019) for a renewal of Synthetic Minor Permit to operate a hot mix asphalt plant in Liberty Township, **Mercer County**. The significant sources are hot mix batch plant. The facility has taken a restriction on production not exceeding 495,000 tons per year to qualify as a Synthetic Minor facility.

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 particu-

lar 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:

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

* The parameter is applicable at all times.

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

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

30831303. Cumberland Coal Resources, LP (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine in Whiteley Township, **Greene County**, ACOE Pittsburgh District. (Garards Fort, PA, Quadrangle from: N: 11.9 inches;

W: 12.6 inches to N: 15.0 inches; W: 13.9 inches and from N: 12.8 inches; W: 15.7 inches to N: 14.4 inches; W: 17.2 inches and the Oak Forest, PA Quadrangle from N: 15.0 inches; W: 0.6 inch to N: 15.5 inches; W: 0.1 inch.

This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15), and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit revision application to authorize stream restoration in three areas of Dutch Run, two areas of Dyers Fork and UNT, and three areas of Dyers Fork and Mt. Phoebe Run to alleviate subsidence pooling impacts from longwall mining.

Written comments or objections on the request for Section 401 Water Quality Certification or to the issuance of the Water Obstruction and Encroachment Permit, (Stream Module 15) may be submitted to the Department of Environmental Protection within 30 days of the date of this notice to the District Mining Office identified previously. Comments should contain the name, address and telephone number of the person commenting, identification of the request for 401 Water Quality Certification and Chapter 105 permit application, (Stream Module 15) to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including relevant facts upon which they are based.

The Water Obstruction and Encroachment permit application is available for review at the California District Mining Office, by appointment, at the previously listed address.

The application was received on October 28, 2005.

Cambria District Mining Office: 286 Industrial Road, Ebensburg, PA 15931, (824) 472-1900.

32060101 and NPDES No. PA0249891. DJ & W Mining, Inc., P. O. Box 425, Indiana, PA 15701, commencement, operation and restoration of a bituminous surface mine in Washington Township, **Indiana County**, affecting 80.3 acres. Receiving streams: UNTs to South Branch Plum Creek and South Branch Plum Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received January 11, 2006. The application includes a stream encroachment to allow coal extraction and construction of E & S controls up to 50 foot stream barrier on the west side of the stream within the barrier area of UNT "A" to South Branch of Plum Creek. The application includes a stream encroachment to allow coal extraction and construction of E & S controls up to 50 foot stream barrier on eastern side of stream within the barrier area of UNT "B" to South Branch of Plum Creek.

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

26000201 and NPDES Permit No. PA0202801. Carbon Fuel Resources, Inc. (200 College Drive, Suite 300, Lemont Furnace, PA 15456). Renewal application to continue operation and reclamation of a bituminous surface mine, located in German Township, **Fayette County**, affecting 73.7 acres. Receiving stream: UNTs to Browns Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 19, 2006.

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

61050102 and NPDES Permit No. PA0258083. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface strip operation in Scrubgrass Township, **Venango County** affecting 92.0 acres. Receiving streams: three UNTs to Little Scrubgrass Creek, classified for the following use: CWF and three UNTs to Allegheny River, classified for the following use: WWF. The first downstream potable water supply intakes from the point of discharge are Emlenton Water Company and Emlenton Water Bottling Co. Application received: December 27, 2005.

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

54773005R4. Reading Anthracite Company (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in St. Clair Borough, Blythe and East Norwegian Townships, **Schuylkill County** affecting 2,108.0 acres. Receiving stream: none. Application received January 3, 2006.

54693031R4 and NPDES Permit No. PA0124168. Joe Kuperavage Coal Company (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation and discharge of treated mine drainage in Blythe Township, **Schuylkill County** affecting 307.5 acres. Receiving stream: UNT to Silver Creek. Application received January 9, 2006.

54841303R4. Tito Coal (118 Fairview Lane, Williamstown, PA 17098), renewal of an existing anthracite underground mine operation in Porter Township, **Schuylkill County** affecting 5.7 acres. Receiving stream: none. Application received January 17, 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 ¹		greater than 6.0; less than 9.0	
pH ¹			

¹ The parameter is applicable at all times.

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

Knox District Mining Office: White Memorial Building, P. O. Box 669, 301 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

10960301. Quality Aggregates, Inc. (200 Neville Road, Neville Island, PA 15225). Renewal of NPDES Permit No. PA0227196, Marion Township, **Butler County**. Receiving streams: UNTs to Blacks Creek and UNT to Slippery Rock Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. NPDES Renewal application received: January 18, 2006.

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

17060301. Edward C. Griffith Quarrying, Inc. (14472 Route 119 Highway North, Rochester Mills, PA 15771). Commencement, operation and restoration of a small industrial minerals (Sandstone) permit in Bell Township, **Clearfield County**, affecting 165 acres. Receiving streams: UNT to Bear Run and Bear Run to the West Branch Susquehanna River, classified for the following use: CWF. Application received: December 27, 2005.

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

64940302C8 and NPDES Permit No. PA0223387. Bedrock Quarries, Inc. (P. O. Box 1467, Skippack, PA 19474), renewal of NPDES Permit for existing discharge of treated mine drainage from a quarry operation in Damascus Township, **Wayne County**, receiving stream: UNT to North Branch Calkins Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received January 9, 2006.

64900302C4 and NPDES Permit No. PA0595047. Ciccone Construction, Inc. (2149 Owego Turnpike, Honesdale, PA 18431), renewal of NPDES Permit for existing discharge of treated mine drainage from a quarry operation in Palmyra Township, **Wayne County**, receiving stream: UNT to Middle Creek, classified for the following use: CWF. Application received January 13, 2006.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-456. Nolen Investments LLC, 950 W. Valley Forge Road, King of Prussia, PA 19406, Aston Township, **Delaware County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the Courts at Spring Brooke Subdivision, a 146-unit town home residential subdivision situated along a UNT to Baldwin Run that runs along the eastern boundary of the property.

- 1) The filling of 0.17 acre of isolated wetland (PFO) associated with the construction of a roadway and residential units.
- 2) To place fill and grade within the assumed 100-year floodway of the UNT of Baldwin run to accommodate building construction.
- 3) To construct an unspecified emergency access road from adjoining property.

The project will permanently impact approximately 296 linear feet of stream length and 0.17 acre of wetland. The applicant proposes to construct 0.34 acre of wetland replacement as compensation for wetland impacts not avoided by this project. The project lies to the East of SR 0452 and is approximately 1,250 feet from the intersection Jefferson Street and SR 0452 in Aston Township, Delaware County (Marcus Hook PA, Quadrangle N: 18.97 inches; W: 7.99 inches).

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

E64-259. Wayne County Commissioners, 925 Court Street, Honesdale, PA 18431-1996, in Texas Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in 0.27 acre of wetlands and 0.29 acre of open water for the purpose of constructing a county prison facility. The facility is partially located within the mapped floodplain of Indian Orchard Brook (HQ-CWF). The project includes sanitary sewer, water and aerial electric utility line crossings of Indian Orchard Brook and adjacent wetlands, temporarily impacting 0.30 acre of wetlands. The project is located approximately 0.1 mile due east of the intersection of SR 0006 (Texas Palmyra Highway) and SR 0652 (Beach Lake Highway) (White Mills, PA Quadrangle N: 8.8 inches; W: 11.6 inches).

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

E06-603: Hamburg Municipal Authority, 61 North Third Street, Hamburg, PA 19526 in Hamburg Township, **Berks County**, ACOE Philadelphia District.

To remove the existing outfall pipe and then to construct and maintain a 30-inch diameter outfall pipe at the left bank of the Schuylkill River (WWF) and associated improvements for the proposed improvements of the Hamburg Treatment Plant located about 150 feet upstream of the PA 61 bridge (Hamburg, PA Quadrangle N: 9.46 inches; W: 16.27 inches) in Hamburg Borough, Berks County.

E67-791: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699 in Washington Township, **York County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a two span bridge with a total clear span of 164.5 feet with a minimum underclearance of 14.3 feet across Bermudian Creek (WWF) and associated improvements on SR 4017, Section 001, Segment 0030, Offset 0084 to improve the traffic safety condition of the road located about 1.3 miles southeast of Kralltown Village (Wellsville, PA Quadrangle N: 1.6 inches; W: 12.3 inches) in Washington Township, York County.

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

E55-205. Middleburg Municipal Water Authority, 13 North Main Street, Middleburg, PA 17842. Water Intake Structure Replacement, in Franklin Township, **Snyder County**, ACOE Baltimore District (Middleburg, PA Quadrangle N: 3.7 inches; W: 7.4 inches).

The application proposes to remove the existing deteriorated stone masonry water intake structures located on Erb Run, West Branch Bowersox Run and East Branch Bowersox Run and Replace them with new cast-in-place reinforced concrete intake structures. The existing deteriorated stone masonry junction box between the East and West Branch of Bowersox Run will be replaced with a new Junction "y" waterline intersection. Approximately 20 feet of R-6 Rock Lining will be constructed in the downstream channels below the intake structures. The existing 4" and 6" waterlines that take the water from the intake structures to the junction box will be replaced with new 6" PVC waterlines. A construction access road will also be constructed utilizing a layer of geotextile and riprap. The proposed project will directly affect approximately 75 linear feet of West Branch Bowersox Run, 75 linear feet of the East Branch Bowersox Run, and 75 linear feet of Erb Run. Bowersox Run and Erb Run are both classified as HQ-CWF. There will be no permanent wetland impact and only temporary wetland impacts of 0.004 acre at the West Branch Bowersox Run site due to the proposed replacement of a waterline.

E57-108. Muncy Creek Watershed Association, P. O. Box 47 Muncy PA 17756. Muncy Creek Project, Nordmont to Sonestown, in LaPorte and Davidson Townships, **Sullivan County**, ACOE Baltimore District (Grove, PA Quadrangle N: 22.5 inches; W: 15 inches).

The project proposes to complete 4.6 miles of stream stabilization in the watershed of Muncy Creek, which carries a water quality designation of CWF. This project stretches from Nordmont to Sonestown and is intended to repair unstable channels and bank failures, improve channel stability and reduce sediment inputs. This phase of this project will incorporate natural channel stabilization techniques to reconfigure the stream channel geometry. In-stream rock structures will be constructed to direct high velocities away from the stream banks and create in-stream habitat. The limits of work will be within the stream channel and the active floodplain. Only previously disturbed fill material or riprap will be removed from the site. Disturbed area will be revegetated. The stream channel will maintain its current flow capacity and stable sections of the stream will not be disturbed.

E60-178. William A. Moore, 110 S. Second Street, Lewisburg, PA 17837. Paris Meadow Estates, in East Buffalo Township, **Union County**, ACOE Baltimore District (Lewisburg, PA Quadrangle N: 14.0 inches; W: 6.9 inches).

To: 1) relocate and maintain 1,808 linear feet of UNT to Limestone Run with the associated turf reinforcement mat; 2) construct and maintain three 28-foot long 13-inch by 17-inch CSP-Arch multi-culvert driveway crossings of an existing channel and the associated R-3 riprap armor-ing of the clean approach fill and culvert aprons for two separate proposed residential lots; 3) construct and maintain an out-of-scope dam for a stormwater detention basin immediately to the right of the realigned channel near the Corner of Ridge Road and Fairfield Drive; 4) construct and maintain an outfall of a 6-inch perforated HDPE underdrain pipe at Station 16+00 of the realigned channel near the stormwater basin emergency spillway; 5) construct and maintain a 93 square yard R-6 riprap apron for a 36-inch perforated HDPE-SB detention basin drain pipe at Station 17+50 of the realigned channel near the Corner of Ridge Road and Fairfield Drive, all of which is being done to create a 29-lot residential subdivision between Fairfield Road and Fairfield Drive. This project proposes to have 130 cubic yards of excavation and 250 cubic yards of fill within the 100-year floodway of the existing channel and the proposed lots 28 and 29, while permanently impacting 1,808 linear feet of a UNT to Limestone Run, which is classified as a WWF.

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

E63-580. Thomas Hauch, 2008 Whitfield Lane, Finleyville, PA 15332. To construct a bridge in East Finley Township, **Washington County**, Pittsburgh ACOE District. (Wind Ridge, PA Quadrangle N: 22.0 inches; W: 5.5 inches and Latitude: 39° 59' 46"—Longitude: 80° 24' 51"). The applicant proposes to construct and maintain a bridge having a span of 27.0 feet with a minimum underclearance of 2.5 feet across the channel of Enlow Fork (TSF) for the purpose of providing access to the applicants property. The project is located on the south side of SR 0231 and T-454 and will impact 15.0 linear feet of stream channel.

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

E43-329, Borough of Grove City, 123 W. Main St., P.O. Box 110, Grove City, PA 16127-4414. Grove City Regional Airport Obstruction Removal and Hanger Expansion Project, in Springfield Township, **Mercer County**, ACOE Pittsburgh District (Mercer, PA Quadrangle N: 41° 08' 46"; W: 80° 10' 04").

To conduct the following activities as part of the obstruction removal and expansion project at the Grove City Regional Airport located north of SR 208 and west of SR 258.

1. To impact a total of 850 feet of a tributary to Black Run (CWF) currently flowing east along the south side of the runway by enclosing it within approximately 370 feet of 48-inch diameter polyethylene pipe to outlet to existing wetlands southeast of the glider landing area located south of the runway.

2. To fill a total of 0.1 acre of wetland (PEM) for construction of new hangars south of the runway and east of the terminal.

Project proposes creation of replacement wetland on airport property.

DAM SAFETY

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

D18-072A. Locust Ridge Hunting Club, Inc., 517 Berks Place, West Lawn, PA 19609. To operate and maintain Shafer/Zweizig Dam across a tributary to Fishing Creek (HQ-CWF) for the purpose of maintaining the existing structure for recreation, wildlife habitat and fire protection. To comply with Department of Environmental Protection's regulations regarding the size of dam and downstream hazard potential, the applicant is required to obtain a permit for the existing structure, perform maintenance and develop an emergency action plan. (Carroll, PA Quadrangle N: 14.5 inches; W: 7.6 inches) in Crawford Township, **Clinton County**.

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0060984	Benton Hills Corporation P. O. Box 69 Benton Hills, PA 18602-0069	Benton Township Lackawanna County	UNT to South Branch of Tunkhannock Creek TSF (4F)	Y

In accordance with current Chesapeake Bay Tributary Nutrient Redirection Strategy Implementation Plan, only monitoring requirements were added to Outfall 001 of this permit, as published as draft on October 8, 2005.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0008885 Industrial Waste	Procter & Gamble Paper Products Co. P. O. Box 32 Mehoopany, PA 18629-0032	Wyoming County Washington Township	Susquehanna River (4G)	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0081345 Amendment No. 1 (Sewage)	Douglas A. Grier Grier Foundation P. O. Box 308 Tyrone, PA 16686-0308	Huntingdon County Warriors Mark Township	Little Juniata River 11-A	Y
PA0087955 Amendment No. 1 (Sewage)	Barry Swope, Chairperson Cassville Water and Sewer Authority P. O. Box 48 Cassville, PA 16623	Huntingdon County Cass Township	UNT Little Trough Creek 11-D	Y
PA0085677 (Industrial Waste/GWCU)	Christopher Kelly Harley-Davidson Motor Company, Inc. 1425 Eden Road York, PA 17402	York County Springettsbury Township	Codorus Creek 7-H	Y
PA0083526 (Industrial Waste)	Julie L. Smith R. H. Sheppard Company, Inc. 101 Philadelphia Street Hanover, PA 17331	York County Hanover Borough	UNT of Oil Creek 7-H	Y
PA0009016 (Industrial Waste)	Charles Williamson Osram Sylvania Products, Inc. 1128 Roosevelt Avenue York, PA 17404-2348	York County West Manchester Township	Willis Run 7-H	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0039233	Rhodes Country Court P. O. Box 397 (SR 157) Reno, PA 16343	Cranberry Township Venango County	UNT to Little Sugar Creek 16-D	Y
PA0022608	Molded Fiber Glass Tray Co. 6175 US 6 Linesville, PA 16424-5921	Pine Township Crawford County	UNT to Shenango River 20-A	Y
PA0222861	Temple Inland Forest Products Corp. Mt. Jewett Complex 824 Glendale Court Cranberry Township, PA 16066	Sergeant Township McKean County	Little Sicily Run 001 UNT to Seven Mile Run 002 Seven Mile Run 003A-003B-004	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. PA0012629, Industrial Waste, **Sunoco Inc. (R & M)**, 1801 Market Street, 10 Penn Center, Philadelphia, PA 19103. This proposed facility is located in the City and County of **Philadelphia**.

Description of Proposed Action/Activity: Approval for the renewal to discharge process wastewater, steam condensate, noncontact cooling water and stormwater into the Schuylkill River—Zone 4 of Delaware River Estuary in Watershed 3F.

NPDES Permit No. PA0053384, Sewage, **Assembly Hall of Jehovah's Witnesses**, 4414 New Hope Road, P. O. Box 338, Buckingham, PA 18912. This proposed facility is located in Buckingham Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage to an UNT (PA Stream Code 2612) in Watershed 2F-Neshaminy.

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

NPDES Permit No. PA-0064378, Industrial Waste, **Horsehead Corporation**, 300 Frankfort Road, Monaca, PA 15061. This proposed facility is located in Palmerton Borough, **Carbon County**.

Description of Proposed Activity: Issuance of an NPDES Permit.

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

NPDES Permit No. PA0085235, Amendment No. 1, Sewage, **M. Carl DeGrazia, DeGrazia, LLC**, 604 Memorial Highway, Fleetwood, PA 19522. This proposed facility is located in Robeson Township, **Berks County**.

Description of Proposed Action/Activity: Permit Transfer.

NPDES Permit No. PA0043052, Amendment No. 1, Sewage, **William B. Myers**, Township of Spring, 2800 Shillington Road, Reading, PA 19608. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Permit Transfer.

NPDES Permit No. PA0247804, Sewage, **Douglas Yocum, PMP Investments, LLC**, 44 Denver Road, P. O. Box 300, Denver, PA 17517. This proposed facility is located in East Cocalico Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Stony Run in Watershed 7-J.

NPDES Permit No. PA0248045, Sewage, **Lester Sauder, Sauder Brothers Partnership**, 1464 Mastersonville Road, Lot 1, Manheim, PA 17545. The proposed facility is located in Rapho Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Rife Run in Watershed 7-G.

NPDES Permit No. PA0248053, Sewage, **Lester Sauder, Sauder Brothers Partnership**, 1464 Mastersonville Road, Lot 2, Manheim, PA 17545. This proposed facility is located in Rapho Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge from Lot 2 to UNT Rife Run in Watershed 7-G.

NPDES Permit No. PA0247731, Industrial Waste, **Gregory Kendig, DS Waters of America, LP**, 1761 Newport Road, Ephrata, PA 17522. This proposed facility is located in West Earl Township, **Lancaster County**.

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

NPDES Permit No. PA0007391, Industrial Waste, **Ryan Ural, The York Water Company**, 130 East Market Street, P. O. Box 15089, York, PA 17405-7089. This proposed facility is located in Spring Garden Township, **York County**.

Description of Proposed Action/Activity: Permit Cancellation.

NPDES Permit No. PAS213502, Stormwater, **Frank Casilio & Sons, Inc.**, 1035 Mauch Chunk Road, Bethlehem, PA 18018-6622. This proposed facility is located in Maxatawny Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Eastern Industries Quarry in Watershed 3-B.

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

NPDES Permit No. PA0253065, Sewage, **Carol Brode**, 1000 Small Road, Jeannette, PA 15644. This proposed facility is located in Penn Township, **Westmoreland County**.

Description of Proposed Action/Activity: Issuance of NPDES permit to discharge sewage for a single residence dwelling.

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

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

WQM Permit No. WQG010009, Sewerage, **Jeffrey and Linda Zaks**, 628 Middle Road, Perkasie, PA 18944. This proposed facility is located in Hilltown Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a single family sewage treatment plant.

WQM Permit No. 1505407, Sewerage, **Borough of Phoenixville**, Borough Hall, 140 Church Street, Phoenixville, PA 19460. This proposed facility is located in Phoenixville Borough, **Chester County**.

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

WQM Permit No. 0905411, Sewerage, **Telford Borough Authority**, 122 Penn Avenue, Telford, PA 18969-1912. This proposed facility is located in Telford Borough, **Bucks County**.

Description of Action/Activity: Transfer a portion of current Telford WWTP flow to Pennridge WWTF.

WQM Permit No. 1505420, Sewerage, **West Vincent Township**, 729 Saint Matthews Road, Chester Springs, PA 19425-3301. This proposed facility is located in West Vincent Township, **Chester County**.

Description of Action/Activity: Construction and operation of a wastewater collection, treatment and disposal facilities.

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

WQM Permit No. 0692409, T-1, Sewerage, M. Carl DeGrazia, DeGrazia, LLC, 604 Memorial Highway, Fleetwood, PA 19522. This proposed facility is located in Robeson Township, **Berks County**.

Description of Proposed Action/Activity: Permit Transfer.

WQM Permit No. 0690410, T-1, Sewerage, William B. Myers, Chairperson, Board of Supervisors, Township of Spring, 2800 Shillington Road, Reading, PA 19608. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Permit Transfer.

WQM Permit No. 6705413, Sewerage, Carl Hughes, Newberry Township Municipal Authority, 1915 Old Trail Road, Etters, PA 17319. This proposed facility is located in Newberry Township, **York County**.

Description of Proposed Action/Activity: Installation of a belt filter press in an existing garage on the Sewage Treatment Plant site.

WQM Permit No. 2105404, Sewerage, Rory Morrison, Manager, Middlesex Township Municipal Authority, 350 North Middlesex Road, Carlisle, PA 17013-8422. This proposed facility is located in Middlesex Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/Operation of sewerage facilities consisting of interceptor sewer serving Keystone Arms consisting of townhouse units and six commercial lots.

WQM Permit No. 3605413, Sewerage, Victor Schwarz, 53 Pinnacle Road, Holtwood, PA 17532. This proposed facility is located in Martic Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction/Operation of sewerage facilities consisting of a septic tank and free access sand filtration with tablet chlorination followed by spray irrigation for denitrification.

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

WQG Permit No. WQG016121, Sewerage, Steven Beltz, The Gatehouse—Blackburn Road, Sewickley, PA 15143. This proposed facility is located in Sewickley Heights Borough, **Allegheny County**.

Description of Proposed Action/Activity: 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. WQG018439, Sewerage, Gregory and Patricia K. Fields, P. O. Box 42, Cochranon, PA 16314. This proposed facility is located in Fairfield Township, **Crawford County**.

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

WQM Permit No. 2595402, Sewerage Amendment No. 1, Millcreek Township Sewer Authority, 3608 West 26th Street, Erie, PA 16506. This proposed facility is located in Millcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the diversion of flows from Peach Street sewer and Beaver Run interceptor sewer to the 24-inch Beaver Run Relief sewer.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

Central Office: Bureau of Watershed Management, 400 Market Street, Floor 10, P. O. Box 8555, Harrisburg, PA 17105-8555.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use	DEP Protocol (Y/N)
PAI131500060001	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Multiple Counties	Multiple Municipalities	Numerous	N

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI011503081	Cornerstone Communities, Inc. Cornerstone Rise at Griffith Fields 771 East Lancaster Avenue Villanova, PA 19085	Chester	West Vincent Township	Birch Run/French Creek (EV)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011505004	Telvil Corporation Telvil-Kolb Subdivision 528 Main Street Harleysville, PA 19428	Chester	East Pikeland Township	Stony Run Creek (HQ)
PAI011505072	The Raven Wood Trust Raven Wood Estate Development c/o Glick and Weintraub 1501 Broadway, Suite 2401 New York, NY 10036	Chester	Willistown Township	West Branch Crum Creek (Ev)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026404008	Robert J. Suhosky 120 Lakeview Heights Drive Honesdale, PA 18431	Wayne	Cherry Ridge Township	Tributary to Middle Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032105009	Silver Spring Square II, LP Regency Centers 150 Monument Road, Suite 406 Bala Cynwyd, PA 19004	Cumberland	Silver Spring Township	Trindle Spring Run HQ Conodoguinet WWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062405001	MiCale Construction Service, Inc.	Elk	Fox Township	UNT Byrnes Run EV
PAI063305001	Rose Township Municipal Authority	Jefferson	Rose and Knox Townships Brookville Borough	Sandy Lick Creek TSF UNT Campbell Run CWF Swamp Run CSF Five Mile Run CWF Clement Run CWF UNT North Fork HQ-CWF
PAI063305002	Jefferson County	Jefferson	Pinecreek Township	UNT North Fork HQ-CWF and UNT Mill Creek CWF

Tioga County Conservation District: 50 Plaza Lane, Wellsboro, PA 16901, (570) 724-1801.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045905004	Ultra Resources, Inc. 304 Inverness Way South Suite 295 Englewood, CO 80112	Tioga	Gaines Township	Elk Run and Wetmore Run (HQ-CWF)

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bristol Borough Bucks County	PAG2000905025	Zober Industries, Inc. 500 Coventry Avenue Croydon, PA 19021	Otter Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Falls Township Bucks County	PAG2000905069	Bucks County Montessori Charter School 8918 New Falls Road Levittown, PA 19054	Martin's Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Sellersville Borough Bucks County	PAG2000905132	Telvil Corporation Moylan Tract Subdivision 528 Main Street Harleysville, PA 19438	UNT Mill Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bristol Borough Bucks County	PAG2000905079	Canesco Bristol, LP Proposed Wallgreens 765 Barry Drive Bryn Mawr, PA 19010	Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Haverford Township Delaware County	PAG2002305068	Leah Atlas 2 College Avenue Haverford, PA 19041	Darby Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Birmingham Township Chester County	PAG2001505106	Dillworthtown Partners Dillworthtown Inn Site Improvement 1390 Old Wilmington Pike West Chester, PA 19382	Brandywine Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Hanover Township Montgomery County	PAG2004605195	Anne Y. Kochenderfer 3026 Bowers Mill Road Pennsburg, PA 18073	UNT Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Trappe Borough Montgomery County	PAG2004605139	Gorski Engineering, Inc. New Covenant Church Development 1 Iron Bridge Drive Collegeville, PA 19426	UNT Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Providence Township Montgomery County	PAG2004605153	Montgomery County Harley Davidson 1217 South Trooper Road Norristown, PA 19403	Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Salford Township Montgomery County	PAG2004604131	Spring Hill Realty Potato Road Site-Phase 3 528 Main Street Harleysville, PA 19438	East Branch Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Franconia Township Montgomery County	PAG2004604178-1	Godshall Quality Meats 675 Mill Road Telford, PA 19438	Indian Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Gwynedd Township Montgomery County	PAG2004605071	Jim Held The Eddie Murphy Tract 113 East Chestnut Street Souderton, PA 18964	UNT Trewellyn Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Whitpain Township Montgomery County	PAG2004605116	Wawa, Inc. Proposed Wawa 260 West Baltimore Pike Wawa, PA 19063	Stony Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105044	Rose Casual Dining Proposed Applebees Restaurant 826 Newtown Yardley Road Newtown, PA 18940	Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Kingston Township Luzerne County	PAG2004005052	Aqua Pennsylvania Inc. Roswell McMullen HCR 6, Box 6040 Hawley, PA 18428	UNT to Toby Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Upper Saucon Township Lehigh County	PAG2003905025	Bob Bower Stabler Land Co. 4401 Camp Mtg. Rd. Suite 100 Center Valley, PA 18034	Saucon Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
North Whitehall Township Lehigh County	PAG2003905031	Curtis Schneck 5426 Route 873 Schnecksville, PA 18078	Coplay Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
North Whitehall Township Lehigh County	PAG2003906001	Erlinda Youwakim Ghassan Youwakim 3075 Rockdale Rd. Slatington, PA 18080	Rockdale Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Hanover Township Lehigh County	PAR10Q141-R-1	Lehigh Northampton Airport Authority 3311 Airport Rd. Allentown, PA 18109	Catasauqua Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Forks Township Northampton County	PAG2004805039	Gary Strausser Strausser Enterprises 1108 Van Buren Rd. Easton, PA 18045	Delaware River WWF, MF	Northampton Co. Cons. Dist. (610) 746-1971
Moore Township Northampton County	PAG2004805028	Ean Sussick & Sons Construction, Inc. 724 S. Delps Rd. Bath, PA 18014	Hokendauqua Creek CWF	Northampton Co. Cons. Dist. (610) 746-1971
Butler Township Luzerne County	PAG2004005047	Lamont Development Company, Inc. 330 W. Butler Drive Drums, PA 18222	Little Nescopeck Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Paxton Township Dauphin County	PAG2002205067	Rite Aid Corp 30 Hunter Land Camp Hill, PA 17011	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Lower Paxton Township Dauphin County	PAG2002205057	S & A Custom Built Homes, Inc. 5709 Linglestown Rd. Harrisburg, PA 7112	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Cumru Township Berks County	PAG2000606001	Rodney Trusty 159 Mall Route Road Sinking Spring, PA 19608	Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Conoy Township Lancaster County	PAG2003605115	Bob Kettering 3121 A Mount Joy Road Mount Joy, PA 17552	UNT Susquehanna River WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster PA 17601 (717) 299-5361, Ext. 5
West Cocalico Township Lancaster County	PAG2003606003	Delmas Witmer 160 Mountain Rd. Denver, PA 17517	UNT Cocalico Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster PA 17601 (717) 299-5361, Ext. 5
Brecknock Township Lancaster County	PAG2003606010	Luke Ulrich 150 Netzley Dr. Denver, PA 17517	UNT Muddy Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster PA 17601 (717) 299-5361, Ext. 5
Lower Paxton Township Dauphin County	PAG2002205060	McDonalds Corp 3025 Chemical Rd., Suite 200 Plymouth Meeting, PA 19462	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Jackson Township Snyder County	PAG200550603	Paul D. John Designer Homes Inc. 15 Industrial Rd. Mifflinburg, PA 17844	Penns Creek WWF	Snyder Co. Consv. Dist. 403 West Market St. Middleburg, PA 17842-1038 (570) 837-0007
Limestone Township Union County Jackson Township Snyder County	PAG2006005014	Department of Environmental Protection—Bridge at New Berlin Michael L Bender P. O. Box 218 Montoursville, PA 17754-0218	Penns Ck. WWF	Union Co. Consv. Dist. 155 N. 15th St. Lewisburg, PA 17837 (570) 523-8782
Duncan Township Tioga County	PAG2005906001	Phoenix Resources, Inc. 782 Antrim Rd. Wellsboro, PA 16901	UNT to Babb Ck. CWF	Tioga Co. Consv. Dist. 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801
Beaver County Chippewa Township	PAG2000406001	Gary Birmingham Tri-Venture Ltd. 665 Freedom Crider Road Freedom, PA 15042	North Branch Brady's Run (TSF)	Beaver County CD (724) 378-1701

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Fayette County North Union Township	PAG2002605026	Null Land, Inc. P. O. Box 229 Mt. Braddock, PA 15465	Jennings Run (WWF)	Fayette County CD (724) 438-4497
Butler County Valencia Borough and Adams Township	PAG2001005025	Douglas Day St. Barnabas Health System 5850 Meridian Road Gibsonia, PA 15044 and Co-applicant Bob Geyer Geyer Construction 149 Ridge Road Valencia, PA 16059	UNT to Breakneck Creek WWF	Butler Conservation District (724) 284-5270
Butler County Adams Township	PAG2001005027	Adams Crossing— Phase 3 Chris Frank Adams Development Group 117 Ridge Road Valencia PA 16059	UNT to Breakneck Creek WWF	Butler Conservation District (724) 284-5270
Butler County Adams Township	PAG2001005033	Shoppes at Heritage Creek Eric J Lamm Kaclik Development Assoc. LP 215 Executive Drive Cranberry Township, PA 16066	Haufman Run WWF	Butler Conservation District (724) 284-5270
Butler County Slippery Rock Township	PAG2001005036	Weathervane Hill West Gary McKnight P. O. Box 773 Slippery Rock, PA 16057	UNT to Slippery Rock Creek CWF	Butler Conservation District (724) 284-5270
Erie County Edinboro Borough	PAG2002506001	Edinboro University of Pennsylvania 200 Scotland Road Edinboro, PA 16444	Darrows Creek WWF	Erie Conservation District (814) 825-6403
Erie County Millcreek Township	PAR10K172R	Joseph Montagna 5131 Millfair Road Fairview, PA 16415	Walnut Creek CWF; MF	Erie Conservation District (814) 825-6403
Foster Township Luzerne County	PAG02114005005	Department of Environmental Protection Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18711-0790	Black Creek (WWF)	Department of Environmental Protection Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18711-0790 (570) 826-2371

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Adams County New Oxford Borough	PAR123548	Pilgrim's Pride Corporation—New Oxford Plant P. O. Box 38 New Oxford, PA 17350-0038	UNT South Branch Conewago Creek WWF/7-F	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Vanport Township Beaver County	PAR806113	Interstate Chemical Company, Inc. 2797 Freedland Road Hermitage, PA 16148-9027	Ohio River at 28.5 mile marker	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
City of Washington Washington County	PAR806148	United States Postal Service 15 Jefferson Avenue Washington, PA 15301-9721	Catfish Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-4

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hilltown Township Bucks County	PAG040042	Jeffrey and Linda Zaks 628 Middle Road Perkasie, PA 18944	Morris Run Watershed 3E Perkiomen	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Allegheny County Sewickley Heights Borough	PAG046318	Steven Beltz The Gatehouse— Blackburn Road	UNT of Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Waterford Township Erie County	PAG048733	Victor A. Berti 989 Hull Road P. O. Box 741 Waterford, PA 16441	UNT to French Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Fairfield Township Crawford County	PAG049228	Gregory and Patricia K. Fields P. O. Box 42 Cochranon, PA 16314	UNT to French Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available

in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Operations Permit issued to **Brodhead Creek Regional Authority**, 410 Stokes Avenue, East Stroudsburg, PA 18301 (PWS ID 2450034) Borough of Stroudsburg, Stroud, Pocono, Hamilton and Smithfield Townships,

Monroe County on January 13, 2006, for the operation of facilities approved under Minor Amendment issued on April 22, 2002; Construction Permit No. 4502501 issued on May 8, 2003 and Construction Permit No. 4504504 issued on January 28, 2005.

Operations Permit issued to **Washington Park Water Company**, 1199 Laurel Run Road, Wilkes-Barre, PA 18702 (PWS ID 2400141), Kingston Township, **Luzerne County** on January 17, 2006, for the operation of facilities approved under Construction Permit No. 4095507.

Permit No. Minor Amendment Public Water Supply.
 Applicant **Pennsylvania American Water Co.**
 800 West Hersheypark Drive
 Hershey, PA 17033
 Borough or Township **Dalton Borough**
 County **Lackawanna**
 Type of Facility **PWS**
 Consulting Engineer **Scott Thomas, P. E.**
 Pennsylvania American Water Co.
 852 Wesley Drive
 Mechanicsburg, PA 17055
 Permit to Construct Issued **January 11, 2006**

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

Permit No. 0604520, Public Water Supply.
 Applicant **Bernville Borough Authority**
 Municipality **Bernville Borough**
 County **Berks**
 Type of Facility **Construction of Well No. 4 as additional source to system. Project also requires a transmission main to connect the new well to the existing system.**
 Consulting Engineer **David Bright, P. E.**
 Spotts, Stevens & McCoy, Inc.
 1047 North Park Road
 Reading, PA 19610-0307
 Permit to Construct Issued: **1/6/2006**

Permit No. 0605521 MA, Minor Amendment, Public Water Supply.
 Applicant **Curtis Armstrong**
 Municipality **Richmond Township**
 County **Berks**
 Type of Facility **Installation of three 120-gallon finished water storage tanks.**
 Consulting Engineer **Charles A Kehew, II, P. E.**
 James R. Holley & Assoc., Inc.
 18 South George St.
 York, PA 17401
 Permit to Construct Issued: **1/18/2006**

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

Permit No. M.A.—Operation Public Water Supply.
 Applicant **Covington-Karthus-Girard Area Authority**
 Township or Borough **Girard Township**
 County **Clearfield**
 Responsible Official **Jack Reese, Co-Chairperson**
 Covington-Karthus-Girard Area Authority
 P. O. Box 104
 Frenchville, PA 16836
 Type of Facility **Public Water Supply—Operation**
 Consulting Engineer **N/A**
 Permit Issued Date **1/18/2006**
 Description of Action **Operation of a 32,000-gallon finished water storage tank located in Lecontes Mills.**

Permit No. 267W014-T1—Transfer Public Water Supply.
 Applicant **Roulette Township Municipal Water Company**
 Township or Borough **Roulette Township**
 County **Potter**
 Responsible Official **William Grandin, Chairperson**
 Roulette Township Municipal Water Company
 P. O. Box 253
 Roulette, PA 16746
 Type of Facility **Public Water Supply—Transfer**
 Consulting Engineer **N/A**
 Permit Issued Date **1/18/2006**
 Description of Action **Transfer of permit covering the existing sources, treatment techniques and waterlines.**

Permit No. 5390501-T1—Transfer Public Water Supply.
 Applicant **Roulette Township Municipal Water Company**
 Township or Borough **Roulette Township**
 County **Potter**
 Responsible Official **William Grandin, Chairperson**
 Roulette Township Municipal Water Company
 P. O. Box 253
 Roulette, PA 16746
 Type of Facility **Public Water Supply—Transfer**
 Consulting Engineer **N/A**
 Permit Issued Date **1/18/2006**
 Description of Action **Transfer of permit covering the existing sources, treatment techniques and waterlines.**

Permit No. 5391501-T1—Transfer Public Water Supply.
 Applicant **Roulette Township Municipal Water Company**
 Township or Borough **Roulette Township**
 County **Potter**

Responsible Official William Grandin, Chairperson
Roulette Township Municipal
Water Company
P. O. Box 253
Roulette, PA 16746

Type of Facility Public Water Supply—Transfer

Consulting Engineer N/A

Permit Issued Date 1/18/2006

Description of Action Transfer of permit covering the
existing sources, treatment
techniques and waterlines.

Permit No. M.A.-T1—Transfer Public Water Supply.

Applicant **Roulette Township Municipal
Water Company**

Township or Borough Roulette Township

County **Potter**

Responsible Official William Grandin, Chairperson
Roulette Township Municipal
Water Company
P. O. Box 253
Roulette, PA 16746

Type of Facility Public Water Supply—Transfer

Consulting Engineer N/A

Permit Issued Date 1/18/2006

Description of Action Transfer of permit covering the
existing sources, treatment
techniques and waterlines.

Permit No. 4905501—Construction Public Water
Supply.

Applicant **Lower Mahanoy Township
Municipal Authority**

Township or Borough Lower Mahanoy Township

County **Northumberland**

Responsible Official Joseph Villone
Lower Mahanoy Township
Municipal Authority
P. O. Box 235
Dalmatia, PA 17017-0235

Type of Facility Public Water
Supply—Construction

Consulting Engineer Edward Ellinger, P. E.
Herbert, Rowland & Grubic, Inc.
369 East Park Drive
Harrisburg, PA 17111-2730

Permit Issued Date 1/20/2006

Description of Action Construction of a manganese
greensand pressure filtration
plant, including potassium
permanganate and post-sodium
hypochlorite feed systems.

Permit No. 4991501-T1—Operation Public Water
Supply.

Applicant **Lower Mahanoy Township
Municipal Authority**

Township or Borough Lower Mahanoy Township

County **Northumberland**

Responsible Official Joseph Villone
Lower Mahanoy Township
Municipal Authority
P. O. Box 235
Dalmatia, PA 17017-0235

Type of Facility Public Water Supply—Operation

Consulting Engineer Edward Ellinger, P. E.
Herbert, Rowland & Grubic, Inc.
369 East Park Drive
Harrisburg, PA 17111-2730

Permit Issued Date 1/20/2006

Description of Action Operation of a corrosion control
system, master meters and
improvements to the distribution
system.

**Permit No. Minor Amendment (2/27/1992)—Opera-
tion** Public Water Supply.

Applicant **Lower Mahanoy Township
Municipal Authority**

Township or Borough Lower Mahanoy Township

County **Northumberland**

Responsible Official Joseph Villone
Lower Mahanoy Township
Municipal Authority
P. O. Box 235
Dalmatia, PA 17017-0235

Type of Facility Public Water Supply—Operation

Consulting Engineer Edward Ellinger, P. E.
Herbert, Rowland & Grubic, Inc.
369 East Park Drive
Harrisburg, PA 17111-2730

Permit Issued Date 1/20/2006

Description of Action Operation of the replacement
cover for the reservoir.

Permit No. 4993501—Operation Public Water Sup-
ply.

Applicant **Lower Mahanoy Township
Municipal Authority**

Township or Borough Lower Mahanoy Township

County **Northumberland**

Responsible Official Joseph Villone
Lower Mahanoy Township
Municipal Authority
P. O. Box 235
Dalmatia, PA 17017-0235

Type of Facility Public Water Supply—Operation

Consulting Engineer Edward Ellinger, P. E.
Herbert, Rowland & Grubic, Inc.
369 East Park Drive
Harrisburg, PA 17111-2730

Permit Issued Date 1/20/2006

Description of Action Operation of modifications to the
upper terminals of Well Nos. 1
and 2 and the use of Well No. 2
as a source of public water
supply.

Permit No. Minor Amendment (3/1/1996)—Operation Public Water Supply.

Applicant **Lower Mahanoy Township Municipal Authority**
 Township or Borough Lower Mahanoy Township
 County **Northumberland**
 Responsible Official Joseph Villone
 Lower Mahanoy Township Municipal Authority
 P. O. Box 235
 Dalmatia, PA 17017-0235
 Type of Facility Public Water Supply—Operation
 Consulting Engineer Edward Ellinger, P. E.
 Herbert, Rowland & Grubic, Inc.
 369 East Park Drive
 Harrisburg, PA 17111-2730
 Permit Issued Date 1/20/2006
 Description of Action Operation of a finished water transmission line, a building to house treatment and laboratory facilities and finished water reservoir outlet structure modifications.

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

Operations Permit issued to East Brady Borough-Clarion County, 502 Ferry Street, Suite 15, East Brady, PA 16028, PWS ID 6160003, East Brady Borough, Clarion County, on January 23, 2006, for the operation of East Brady's new facilities and equipment to draw, treat and distribute the water to the Petroleum Valley Regional Water Authority, the Borough of Rimersburg and East Brady Borough, as approved under Construction Permit No. 1604502.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Dublin Borough	P. O. Box 52 Dublin, PA 18917	Bucks

Plan Description: VI Projects. The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Dublin Borough proposes the following projects:

Project 1—High Street Sewage Collection System Replacement—Replace approximately 1,550 linear feet of vitrified clay sanitary sewer main, manholes and the service laterals extending between manholes Nos. 37 and 41, inclusive.

Project 2—Elephant Road Trunkline Rehabilitation—Root treatment, joint testing/grouting, defective service lateral replacement, manhole pipe entry repairs and pipeline relining: MH 14-MH 13.

Project 3—Middle Road Sewer Line Rehabilitation—Root treatment, joint testing/grouting, defective service lateral replacement, manhole pipe entry repairs.

The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Wales Borough	300 School Street North Wales, PA 19454	Montgomery

Plan Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. North Wales Borough proposes the following projects:

Phase 1—Wastewater Collection System:

Sewer Project 1: Rehabilitation of approximately 6,400 feet of sanitary sewer piping and appurtenances in Beaver, Walnut and Tenth Streets, budgeted at \$905,000, to be completed in 2006.

Sewer Project 2: Rehabilitation of approximately 7,900 feet of sanitary sewer piping and appurtenances in Second, Third, Fourth, School, Walnut and Ninth Streets, budgeted at \$1.195 million to be completed in 2007.

Phase 2—Wastewater Treatment Plant:

WWTP Project: Facility planning and alternative treatment evaluation for permit compliance to proceed in 2006, and design and construction projected to 2008, budgeted at \$1.5 million

The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Bern Township	P. O. Box 185 Shartlesville, PA 19554	Berks

Plan Description: The approved plan provides for the construction of a public sewer collection and conveyance system to serve the Northern Service Area as defined in the plan. The Plan also provides for the construction of a wastewater treatment facility that will provide an additional 100,000 gallons per day of capacity to the existing Shartlesville treatment facility. The plan also provides for the adoption and implementation of an onlot sewage disposal system management ordinance that will address the entire township. The Department of Environmental Protection'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>
Taylor Township	P. O. Box 627 Hustontown, PA 17229	Huntingdon

Plan Description: The approved plan provides for the construction of a new Hustontown Joint Sewer Authority sewage treatment facility with stream discharge to replace an existing community onlot sewage disposal system. The Department of Environmental Protection'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>
Cromwell Township	P. O. Box 340 Orbisonia, PA 17243	Huntingdon

Plan Description: The approved plan provides for the regionalization of a public sewer collection, conveyance, and treatment system to serve the Pogue and Pine Tree Village areas of Cromwell Township by a connection to the Orbisonia-Rock Hill Joint Municipal Authority (ORJMA) wastewater treatment facility. The Plan also provides for an upgrade of the ORJMA facility. The Department of Environmental Protection'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>
Chambersburg Borough	100 S. Second St. Chambersburg, PA 17201	Franklin

Plan Description: The approved plan entitled Progress Village provides for a sewer extension to serve 467 residential lots and one commercial lot of 3 EDUs on Mill Road and Progress Road. The Water Quality Management Part II Permit, required because the sewer extension will serve more than 250 EDUs, will be issued in the name of the Borough of Chambersburg, who will own, operate and maintain the facilities. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Finley Township	164 Good Intent Road Claysville, PA 15323	Washington

Plan Description: The approved plan provides for construction of a 400-gallon per day single residence sewage treatment plant to serve the Loughman single family home. The property is located at 429 Burnsville Ridge Road. The proposed discharge point is a UNT of Robinson Run, classified as a WWF. Any required NPDES Permits

or WQM Permits must be obtained in the name of the applicant as appropriate. The Department of Environmental Protection's review of the sewage facilities revision has not identified any significant impacts resulting from this proposal.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Proposed Interim Response

Gilbertsville PCE Site, Douglass Township, Montgomery County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), is proposing an interim response at the Gilbertsville PCE Site (Site) in Douglass Township, Montgomery County.

The Department, under the authority of HSCA, is conducting an investigation of the Site. This investigation includes the sampling of private drinking water supply wells, the collection of surface water and soil samples, the installation of monitoring wells within the Site area as well as other activities to determine the source and extent of the release of hazardous substances within the Site area. Approximately 23 wells are contaminated with detectable levels of Tetrachloroethylene (PCE). Trichloroethene and Methyl-T-Butylether were also detected in select wells, but PCE is the primary contaminant of concern. The Department is presently investigating the possibility of a spill of dry cleaning fluid within the Site area.

To address the release and threat of release of hazardous substances at the Site and corresponding threats to human health and the environment, the Department proposes a response action at the Site under sections 501(a) of HSCA (35 P. S. § 6020.501(a)). The Department hereby proposes the installation of a waterline, including water mains and lateral connections to the public water supply. This proposed alternative complies with Applicable, Relevant and Appropriate Requirements and is feasible and cost effective. Other possible alternatives include no action or the installation and continued monitoring and maintenance of whole-house carbon filtration units and/or continuation of supplying bottled water.

An Administrative Record, which contains more detailed information concerning this proposed response action, is available for public inspection. The Administrative Record may be examined from 8 a.m. until 4 p.m. at the Department's office at 2 East Main Street, Norristown PA 19401. Persons interested in examining the Administrative Record should contact Natalie Huff at (484) 250 5722 to arrange for an appointment. An additional copy of the Administrative Record is available for review at the Douglass Township Municipal Building, 1320 East Philadelphia Avenue, Gilbertsville, PA 19525.

Under section 506(d) of HSCA (35 P. S. § 6020.506(d)), the Department shall conduct a public hearing on March 15, 2006, at 7 p.m. in the Douglass Township Municipal Building. Anyone who would like to present formal oral comments regarding this interim response may do so by registering with the Department before the meeting. Individuals may register by calling the Department's Community Relations Coordinator, Lynda Rebarchak at (484) 250-5820.

Persons with a disability who wish to attend the public hearing and will require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lynda Rebarchak at the telephone number listed

previously or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's proposed interim response action during the period of public comment. In accordance with section 506(c) of HSCA (35 P. S. § 6020.506(c)), the Department has established a period for public comment that is now open until close of business May 5, 2006. Written comments should be addressed to Natalie Huff, Project Officer, Department of Environmental Protection, 2 East Main Street, Norristown PA 19401.

Persons with questions regarding this notice should contact Natalie Huff at (484) 250-5722.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

Venice Island, City of Philadelphia, **Philadelphia County**. Tess Andress, RT Env. Svc., Inc., 510 Herson Dr., P. O. Box 521, Bridgeport, NJ 08014 on behalf of Dan Neducsin, Neducsin Prop. Mgmt., Inc., 161 Leverington Ave., Suite 100, Philadelphia, PA 19127 has submitted a Final Report concerning remediation of site soil contaminated with inorganics and PAH. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Aaron Rubin & Sons Company North Property, Susquehanna Township, **Dauphin County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109 behalf of Aaron Rubin & Sons Company, 3401 North Sixth Street, Harrisburg, PA 17110; L. P. Realty Group, 500 Fishing Creek Valley Road, Harrisburg, PA 17112; and Deaven Partnership, 105 West Plank Road, Port Matilda, PA 16870, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils contaminated with petroleum products and groundwater contaminated with solvents. The report is intended to demonstrate attainment of the Statewide Health Standard for soils and a combination of the Statewide Health and Site-Specific Standards for groundwater.

Former Yorgey's Fine Cleaning, Manor Township, **Lancaster County**. Gannett Fleming, Inc., P. O. Box 10185, Lancaster, PA, 17605-0185, on behalf of Richard Yorgey, 328 South State Street, Ephrata, PA 17522, submitted a Remedial Investigation and a Risk Assessment concerning remediation of site soils and groundwater contaminated with volatile organics. The applicant proposes to remediate the site to meet the Site-Specific Standard requirements.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media,

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

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

The Department has received the following plans and reports:

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

Becker Prop., City of Philadelphia, **Philadelphia County**. Matthew E. Grubb, Env. Maintenance Co., Inc., 1420 E. Mermaid Ln., Glenside, PA 19038 on behalf of Peter Becker, 1239 Pleasure Ave., Ocean City, NJ 08224 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2. fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 11, 2006.

Vacant Prop., City of Philadelphia, **Philadelphia County**. Staci Cottone, American Resource Consultants, Inc., P. O. Box 579, Quakertown, PA 18951 on behalf of Mr. and Mrs. Elliot Timms, 1862 Lindley St., Philadelphia, PA 19141 has submitted a Baseline Env. Report concerning the remediation of site soil contaminated with lead. The Baseline Env. Report was approved by the Department on January 13, 2006.

Cantol, Inc., City of Philadelphia, **Philadelphia County**. Gilbert J. Marshall, P. G. Marshall Geosciences, Inc., 170 E. First Ave., Collegeville, PA 19426 on behalf of Elmer Sneathen and Richard Petsche, Cantol, Inc., 2211 N. American St., Philadelphia, PA 19133-3396 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents, No. 2 fuel oil and inorganics. The Final Report demonstrated attainment of the Statewide Health Standard and Site Specific Standard was approved by the Department on January 9, 2006.

The Baldwin School, Lower Merion Township **Montgomery County**. Richard Werner, P. G., Env. Consulting, Inc., 500 E. Washington St., Suite 375, Norristown, PA 19401 on behalf of John Berg, The Baldwin School, 701 Montgomery Ave., Bryn Mawr, PA 19010 has submitted a Final Report concerning the remediation of site soil contaminated with No. 4 fuel oil. The Final Report

demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 9, 2006.

Sunoco Inc. (R & M) Marcus Hook Refinery Phillips Island, Marcus Hook Borough, **Delaware County**. Glenn C. Randall, P. G., URS Corp., 335 Commerce Dr., Ste, 300, Ft. Washington, PA 19034 has submitted a Final Report concerning the remediation of site soil contaminated with lead, heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons and groundwater contaminated with lead, heavy metals solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Site Specific Standard and was approved by the Department on January 9, 2006.

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

ITT Engineered Process Solutions Group, Borough of Columbia, **Lancaster County**. ENSR International, 2005 Cabot Boulevard West, Suite 100, Langhorne, PA 19047, on behalf of ITT Industries, Ten Mountainview Road, Upper Saddle River, NJ 07458, submitted a combined Remedial Investigation, Risk Assessment and Final Report concerning remediation of site soils and groundwater contaminated with gasoline and No. 2 fuel oil. The combined report demonstrated attainment of a combination of the Statewide Health and Site-Specific Standards, and was approved by the Department on January 12, 2006.

Former Teledyne-AMCO Facility, Mohnton Borough, **Berks County**. MACTEC Engineering and Consulting, Inc., 5205 Militia Hill Road, Plymouth Meeting, PA 19462-1216, on behalf of TDY Industries, 1000 Six PPG Place, Pittsburgh, PA 15222, submitted a Remedial Investigation Report concerning remediation of site soils, groundwater and surface water contaminated with solvents. The applicant proposes to remediate the site to meet a combination of Statewide Health and Site-Specific Standards. The Remedial Investigation Report was approved by the Department on January 12, 2006.

Canoe Creek Quarry, Frankstown Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of New Enterprise Stone & Lime Company, P. O. Box 77, New Enterprise, PA 16664, submitted a Final Report concerning remediation of site soils and groundwater contaminated with diesel fuel and other organics. The final report demonstrated attainment of a residential Statewide Health Standard and was approved by the Department on January 12, 2006.

Millardsville Crop Center, Jackson Township, **Lebanon County**. Environmental Resources Management, Inc, 350 Eagleview Boulevard, on behalf of GROWMARK FS, Inc., 1701 Towanda Avenue, Bloomington, IL 61702, submitted a Remedial Investigation concerning remediation of site groundwater contaminated with nitrate. The applicant proposed to remediate the site to a Site-Specific Standard. The Remedial Investigation Report was approved by the Department January 12, 2006.

Property at 152 Huntzinger Road, South Heidelberg Township, **Berks County**. Liberty Environmental, Inc., 10 North Fifth Street, Suite 800, Reading, PA 19601, on behalf of Fannie Mae, International Plaza, 15221 Dallas Parkway, Suite 1000, Dallas, TX 75254, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the residential Statewide Health Standard, and was approved by the Department on January 12, 2006.

Buckeye Pipe Line Company, LP, Tuckerton Station, Muhlenberg Township, **Berks County**, Groundwater & Environmental Services, LP, 410 Eagleview Boulevard, Exton, PA 18049, on behalf of Buckeye Pipe Line Company, LP, 5002 Buckeye Road, Emmaus, PA 18049, submitted a Final Report concerning remediation of site soil contaminated with petroleum products. The Final Report demonstrated attainment of the nonresidential Statewide Health Standard, and was approved by the Department on January 18, 2006. Groundwater will be addressed separately.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Hazardous Waste Transporter License Issued

North Star Waste, LLC, 223 Fellowship Road, Uwchlan, PA 19480. License No. PA-AH 0718. Effective December 22, 2005.

IMS Environmental Services, Inc., P. O. Box 1779, Norfolk, VA 23501. License No. PA-AH 0724. Effective January 9, 2006.

Hazardous Waste Transporter License Renewed

Enviroserve, J. V. Limited Partnership, 5502 Schaaf Road, Cleveland, OH 44131. License No. PA-AH 0456. Effective December 22, 2005.

Mccutcheon Enterprises, Inc., 250 Park Road, Apollo, PA 15613-8730. License No. PA-AH 0130. Effective December 29, 2005.

Dalmatian, Inc., P. O. Box 1147, Hebron, OH 43025. License No. PA-AH 0653. Effective December 29, 2005.

U. S. Bulk Transport, Inc., 205 Pennbriar Drive, Erie, PA 16509. License No. PA-AH 0408. Effective January 6, 2006.

Valley City Disposal, Inc., DBA Valley City, 1040 Market Street S.W., Grand Rapids, MI 49503. License No. PA-AH 0410. Effective January 6, 2006.

Frank's Vacuum Truck Service, Inc., 4500 Royal Avenue, Niagara Falls, NY 14303. License No. PA-AH 0331. Effective January 6, 2006.

AIR QUALITY

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

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

AQ-SE-0021: Brubacher Excavating, Inc. (825 Reading Road, P. O. Box 528, Bowmansville, PA 17507) on January 19, 2006, to operate a portable crusher in Bethel Township, **Delaware County**.

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

35-310-041GP3: Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on January 18, 2006, to construct and operate a portable stone crushing plant and associated air cleaning device at the Scranton Materials Plant, located in Ransom Township, **Lackawanna County**.

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

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

09-0022B: Cleveland Steel Container Corp. (350 Mill St., Quakertown, PA 18951) On January 19, 2006, to operate a litho press from 10% to 35% in Quakertown Borough, **Bucks County**.

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

48-313-096: Elementis Pigments, Inc. (1525 Wood Avenue, Easton, PA 18042) on January 17, 2006, to construct a blending and grinding mill and associated air cleaning devices in Easton, **Northampton County**.

48-309-125: Keystone Cement Co. (Route 329, P. O. Box A, Bath, PA 18014) on January 13, 2006, for construction of a finish mill and material feed system with an indirect coal firing system in East Allen Township, **Northampton County**.

35-318-090: Vycom Corp. (801 East Corey Street, Moosic, PA 18505) on January 18, 2006, to construct a paint spray booth and associated air cleaning device in Scranton, **Lackawanna County**.

35-399-042: Vycom Corp. (801 East Corey Street, Moosic, PA 18505) on January 18, 2006, to construct a molding machine and extruder in Scranton, **Lackawanna County**.

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

24-016C: Keystone Powdered Metal Co. (251 State Street, St. Marys, PA 15857) on January 18, 2006, to replace an Induction Heat Treater with a new Induction Heat Treater and Smog Hog by in the City of St. Marys, **Elk County**. The facility is a Title V Facility.

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

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

46-313-146: Penn Color, Inc. (2755 Bergey Road, Hatfield, PA 19440) on January 18, 2006, to operate a base pigment dispersion facility in Hatfield Township, **Montgomery County**.

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

06-05005A: Eastern Industries (4401 Camp Meeting Road, Center Valley, PA 18034) on October 27, 2005, to modify their existing batch asphalt plant controlled by a knock out box and fabric filter to burn recycled No. 5 oil at their Oley Blacktop Plant in Oley Township, **Berks County**. This plan approval was extended.

22-05039A: Dura-Bond Pipe, LLC (2716 South Front Street, Steelton, PA 17113) on September 28, 2005, to restart their existing pipe coating facility and expand their existing facility to include the former Bethlehem Steel pipe fabricating operation and a new steel shapes fabrication operation in Steelton Borough, **Dauphin 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.

49-311-003: The Quikrete Companies, Inc. (R. R. 1, Box 312, Paxinos, PA 17860) on January 11, 2006, to install two additional air cleaning devices, two small fabric collectors, on a dry redi-mix concrete batching and packaging operation in Shamokin Township, **Northumberland County**.

41-00013B: Coastal Aluminum Rolling Mills, Inc. (2475 Trenton Avenue, Williamsport, PA 17701) on January 19, 2006, to extend the deadline for performing VOC stack testing on a coil coating line (No. 7) and associated regenerative thermal oxidizer until March 15, 2006, in the City of Williamsport, **Lycoming County**.

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

56-00025F: New Enterprise Stone and Lime (P. O. Box 77, New Enterprise, PA 16664) on January 17, 2006, to complete construction for their Bakersville Quarry in Jefferson Township, **Somerset County**. This plan approval was extended.

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

10-345A: Allegheny Mineral Corp.—Murrinsville Quarry (102 VanDyke Road, Harrisville, PA 16038) on January 31, 2006, to install a Limestone Processing Facility in conjunction with their new Limestone Mining Operation in Marion Township, **Butler County**.

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

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

23-00026: Glasgow, Inc. (P. O. Box 1089, Glenside, PA 19038) on January 19, 2006, to operate the batch asphalt plant Synthetic Minor Operating Permit in Springfield Township, **Delaware County**.

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

22-03020: Hempt Bros., Inc. (205 Creek Road, Camp Hill, PA 17011-7418) on January 11, 2006, to operate

their Steelton Quarry in Steelton Borough, **Dauphin County**. This is a renewal of the State-only operating permit.

36-03106: Eastern Industries, Inc. (4401 Camp Meeting Road, Center Valley, PA 18034-9467) on January 19, 2006, to operate their Schoeneck limestone/dolomite quarry and crushing and screening plant in West Cocalico Township, **Lancaster County**. This is a renewal of the State-only operating permit.

36-03115: Prospect Aggregates, Inc. (P. O. Box 7, Route 72, East Petersburg, PA 17520) on January 23, 2006, to operate a crushed and broken limestone processing operation in West Hempfield Township, **Lancaster County**. This is a renewal of the State-only operating permit.

67-05013: York City Sewer Authority (1701 Black Bridge Road, York, PA 17402-1911) on January 19, 2006, to operate their wastewater treatment facility in Manchester Township, **York 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.

63-00538: Dynamet, Inc. (195 Museum Road, Washington, PA 15301) on January 20, 2006, for nonferrous metal extrusion at their Arden Facility in Green Hills Borough, **Washington County**. This permit is a State-only renewal.

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

10-00079: BNZ Materials, Inc. (191 Front Street, Zelienople, PA 16063-1088) on January 10, 2006, for an Administrative Amendment of the Title V Operating Permit, to incorporate the conditions of Plan Approval No. 10-079C in Source ID No. 104A: Kiln No. 1 in Zelienople Borough, **Butler County**.

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

S05-009: Philadelphia Phillies (One Citizens Bank Park Way, Philadelphia, PA 19148) on January 19, 2006, to operate Citizens Bank Park baseball stadium in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three 191 HP boilers, an 1818 BHP generator and a 2889 BHP generator.

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

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

46-00050: Rohm and Haas Co. (727 Norristown Road, Springhouse, PA 19477) on January 20, 2006, to operate a State-only Operating Permit in Lower Gwynedd Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility and was issued as an Administrative Amendment for a Change of Operator for the facility from Rohm and Haas Company to Rohm and Haas Chemicals, LLC. The facility's sources include five boilers and one dry cleaner. The amended State-only Operating Permit did not change and contains all of the applicable

regulatory requirements including monitoring recordkeeping, reporting and emission limits. The initial permit was issued April 23, 2004.

23-00003: ConocoPhillips Co. (4101 Post Road, Trainer, PA, 19061) on January 20, 2006, to incorporate changes brought about by Consent Decree (Civil Action H-05-258) in Trainer Borough, **Delaware County**. This minor permit modification is to address new applicable regulations promulgated since the previous version of the permit was issued in February, 2005, including Refinery MACT II, 40 CFR 63, Subpart UUU and Boiler and Process Heater MACT, 40 CFR 63, Subpart DDDDD. The amendment also addresses several typographical errors. Modification of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.

23-00007: Crozer Chester Medical Center (1 Medical Center Blvd, Chester, PA 19013) on January 20, 2006, to operate three peaking power units at their Title V Operating Permit in Upland Borough, **Delaware County**. This amendment is to address the change of ownership from NEO Chester GEN, LLC to Crozer Chester Hospital and to establish an aggregate NOx emission limit for the two permits (23-00007 and 23-00052) that are under the ownership of the Crozer Chester Medical Center. Administrative Amendment of State-only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

23-00052: Crozer Chester Medical Center (One Medical Center Boulevard, Upland, PA 19013-3995) on January 20, 2006, to operate a hospital in Upland Borough, **Delaware County**. The permit is for a non-Title V (State-only) facility. This amendment is to implement an existing NOx emission limit (24.95 tons/yr) as an aggregate for the two permits (23-00052 and 23-00007) that are under the ownership of the Crozer Chester Medical Center. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Amendment of State-only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.461.

15-00014: Saint Gobain Performance Plastics Corp. (57 Morehall Road, Frazer, PA 19355) on January 23, 2006, an administrative amendment to Title V Operating Permit No. TVOP-15-00014 under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450 in East Whiteland Township, **Chester County** was issued to restrict the facility HAP emissions to 8 tons of each individual HAP emissions and 20 tons of combined HAP emissions.

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

06-05040: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536) on January 13, 2006, to modify the secondary lead smelter controlled by an afterburner, fabric collector and wet scrubber in Richmond Township, **Berks County**. This Operating Permit

was administratively amended pertaining to the sulfur dioxide emission limits for its lead smelter. This is revision No. 2.

36-05010: American LaFrance, LLC (64 Cocalico Creek Road, Ephrata, PA 17522-9455) on January 13, 2006, to operate a manufacturing plant at their Ephrata facility in West Earl Township, **Lancaster County**. This operating permit was administratively amended due to a change of ownership. This is revision No. 1.

38-03007: Evans Eagle Burial Vaults, Inc. (15 Graybill Road, Leola, PA 17540-1910) on January 20, 2006, to operate a human crematorium in Heidelberg Township, **Lebanon County**. This operating permit was administratively amended to incorporate plan approval 38-03007A. This is revision No. 1.

38-03042: American LaFrance, LLC (64 Cocalico Creek Road, Ephrata, PA 17522-9455) on January 13, 2006, to operate their manufacturing plant in West Lebanon Township, **Lebanon County**. This operating permit was administratively amended due to a change of ownership. This is revision No. 1.

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

41-00018: Springs Window Fashions, LLC (8601 Route 404, Montgomery, PA 17752) on January 11, 2006, to transfer a Title V Operating Permit from Springs Window Fashions, LP to Springs Window Fashions, LLC in Clinton Township, **Lycoming County**.

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

33-00033: Owens-Brockway Glass Container Inc.—Plant No. 18 (Cherry Street, Brockway, PA 15824) on January 12, 2006, for an Administrative Amendment of the Title V Operating Permit, to incorporate the conditions of Plan Approval No. 33033C in Brockway Borough, **Jefferson County**.

42-00061: Dresser Inc. (42 Fisher Avenue, Bradford, PA 16701) on January 20, 2006, for an Administrative Amendment of the natural minor operating permit, to incorporate the newly applicable permit conditions from Plan Approval No. 42061B in the City of Bradford, **McKean County**.

De Minimis Emissions increases authorized under 25 Pa. Code § 127.449.

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

04-00033: NOVA Chemicals, Inc. (400 Frankfort Road, Monaca, PA 15061-2298) for their thermoplastic resin manufacturing facility at the Beaver Valley Plant in Monaca, **Beaver County**. On November 8, 2005, NOVA Chemicals Inc. requested to increase the Dylark process area VOC emissions by 175 pounds/year and potential fugitives by 0.2 ton/year. The Department has approved these emissions as de minimis emission increases in accordance with 25 Pa. Code § 127.449. This is a Title V Facility.

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

32881301 and NPDES Permit No. PA0215538, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to renew the permit and related NPDES permit and to revise the permit for the Penn Run Mine in Cherryhill Township, **Indiana County** to delete 1386.7 subsidence control plan area acres. No additional discharges. Permit issued January 19, 2006.

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

32050103 and NPDES Permit No. PA0249734, Amerikohl Mining, Inc. P. O. Bo 427, Acme, PA 15610, commencement, operation and restoration of a bituminous surface mine. The stream encroachment activities consist of mining activities occurring near UNT "A" to Two Lick Creek for the use of an existing stream crossing, on Coke Oven Lane; and mining activities occurring for approximately 2,800 feet along the northern bank of the UNT "B" to Two Lick Creek, in Center Township, **Indiana County**, affecting 61.1 acres. Receiving streams: UNTs to Two Lick Creek, Two Lick Creek classified for the following uses: CWF; TSF. There are no potable water supply intakes within 10 miles downstream. Application received March 3, 2005. Permit issued: January 18, 2006.

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

65970105 and NPDES Permit No. PA0202053, Britt Energies, Inc. (2450 Philadelphia Street, Indiana, PA 15701). Permit renewal issued for continued operation and reclamation of a bituminous surface mining site located in Derry Township, **Westmoreland County**, affecting 146.0 acres. Receiving streams: UNTs to Union Run, Union Run to Loyalhanna Creek to Conemaugh River. Application received: October 24, 2005. Renewal issued: January 19, 2006.

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

33020107 and NPDES Permit No. PA0242233, Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA

15767) Transfer of an existing bituminous strip operation from P. & N. Coal Co., Inc. in Oliver Township, **Jefferson County** affecting 138.7 acres. Receiving streams: Hadden Run. Application received: July 21, 2005. Permit Issued: January 19, 2006.

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

17030901 and NPDES Permit No. PA0243523, RAMM Coal, Inc. (1092 Spruce Hill Road, Rockton, PA 15856), transfer of an existing bituminous surface mine application from RAMM Coal Company. The site is located in Brady Township, **Clearfield County**, and affects 3.1 acres. Receiving streams: LaBorde Branch and UNT to Luthersburg Branch. Application received: August 20, 2004. Permit issued: January 12, 2006.

Noncoal Permits Actions

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

4274SM11 and NPDES Permit No. PA0212512, New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA 16664, permit revision to increase the permitted depth of the quarry from elevation 950 feet to elevation 900 feet on the Phase I (northern) dolomite area only in Taylor Township, **Blair County**, affecting 430 acres. Receiving streams: Plum Creek and Halter Creek classified for the following use: WWF. For the purposes of this permit application the Department determined that the existing use of Plum and Halter Creeks is CWF rather than the current designated use of WWF different than the currently designated use of WWF. There are no potable water supply intakes within 10 miles downstream. Application received April 28, 2005. Permit issued December 12, 2005.

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

3378NC17 and NPDES Permit No. PA0592579, Hanson Aggregates PMA, Inc. (2200 Springfield Pike, Connellsville, PA 15425). NPDES renewal issued for continued operation and reclamation of a noncoal surface mine (limestone quarry) located in Connellsville Township, **Fayette County**, affecting 73.57 acres. Receiving streams: UNT to Connell Run and Connell Run. Application received: November 30, 2005. NPDES renewal issued: January 17, 2006.

65900402 and NPDES Permit No. PA0591777, Hanson Aggregates PMA, Inc. (2200 Springfield Pike, Connellsville, PA 15425). NPDES renewal issued for continued operation and reclamation of a noncoal surface mine (limestone quarry) located in Derry Township, **Westmoreland County**, affecting 1303.0 acres. Receiving streams: UNTs to both and including Harbridge Run and Tannery Hollow. Application received: November 4, 2005. NPDES renewal issued: January 17, 2006.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Best Avenue, Knox, PA 16232-0669.

24050802, M & M Contractors (311 W. Center Street, Johnsonburg, PA 15845) Commencement, operation and restoration of a small noncoal sandstone operation in Jay Township, **Elk County** affecting 5.0 acres. Receiving stream: Spring Run. Application received: September 6, 2005. Permit Issued: January 13, 2006.

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

17052802. Gordon L. Delozier, Inc. (One South Montgomery Street, Hollidaysburg, PA 16648-1797), commencement, operation, and restoration of a small industrial minerals (Sand and Gravel) surface mine permit in Bigler Township, **Clearfield County**, affecting 3.5 acres. Receiving stream: Clearfield Creek. Application received: October 13, 2005. Permit Issued: January 4, 2006.

08010818. Brian M. Edsall (R. R. , Box 94A, Towanda, PA 18848), transfer of an existing small industrial minerals (Flagstone) permit from Kenneth Shedden. The site is located in Asylum Township, **Bradford County**, affecting 2.0 acres. Application received: February 24, 2005. Permit issued: January 12, 2006.

08050815. Larry A. Lee (R. R. 2, Box 2642, Nicholson, PA 18846), commencement, operation, and restoration of a small industrial minerals (topsoil, subsoil, sand, sandstone, shale, bluestone) permit in Tuscarora Township, **Bradford County**, affecting 5.0 acres. Receiving stream: UNT. Application received: November 1, 2005. Permit issued: January 12, 2006.

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

58050836. Chad H. Hollenbeck (R. R. 2, Box 137, Kingsley, PA 18826), commencement, operation and restoration of a quarry operation in Forest Lake Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: none. Application received July 28, 2005. Permit issued January 20, 2006.

40050804. Brenda L. Rizzo (R. R. 2, Box 472, Sugarloaf, PA 18249), commencement, operation and restoration of a quarry operation in Black Creek Township, **Luzerne County** affecting 5.0 acres. Receiving stream: none. Application received August 8, 2005. Permit issued January 20, 2006.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

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

02064001. Mashuda Corporation (21101 Rt. 19, Cranberry Township, PA 16066). Blasting activity permit for construction at the Clinton Industrial Park, located in Findlay Township, **Allegheny County**, with an expected duration of 1 year. Blasting activity permit issued: January 17, 2006.

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

01064101. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Hunderfold Farm in Franklin Township, **Adams County** with an expiration date of January 30, 2007. Permit issued January 17, 2006.

21064101. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Rolling Green Memorial Gardens in Lower Allen Township, **Cumberland County** with an expiration date of January 30, 2007. Permit issued January 17, 2006.

21064102. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting for Waggoners UMC in North Middleton Township, **Cumberland County** with an expiration date of October 31, 2007. Permit issued January 17, 2006.

28064103. TJ Angelozzi, Inc. (7845 Kabik Court, Woodbine, MD 21797), construction blasting for Shadow Creek in Antrim Township, **Franklin County** with an expiration date of January 11, 2007. Permit issued January 17, 2006.

40064102. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting for the Corby Project in Hazle Township, **Luzerne County** with an expiration date of January 11, 2007. Permit issued January 17, 2006.

15064101. Schlouch, Inc. (P. O. Box 69, Blandon, PA 19510), construction blasting for Broad Run in West Bradford Township, **Chester County** with an expiration date of January 1, 2007. Permit issued January 19, 2006.

22064102. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Quail Hollow in Lower Paxton Township, **Dauphin County** with an expiration date of January 30, 2007. Permit issued January 19, 2006.

22064103. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Waverly Woods in Susquehanna Township, **Dauphin County** with an expiration date of January 30, 2007. Permit issued January 19, 2006.

22064105. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Waverly Woods in Susquehanna Township, **Dauphin County** with an expiration date of January 1, 2007. Permit issued January 19, 2006.

36064107. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Clearview Gardens in Clay Township, **Lancaster County** with an expiration date of December 30, 2006. Permit issued January 19, 2006.

39064101. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Villages at Coldwater Crossing in Lower and Upper Macungie Townships, **Lehigh County** with an expiration date of September 30, 2006. Permit issued January 19, 2006.

39064102. Austin Powder Company (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Jordan Road Slope in South Whitehall Township, **Lehigh County** with an expiration date of January 10, 2007. Permit issued January 19, 2006.

46064103. Austin Powder Company (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for South View in Lower Pottsgrove Township, **Montgomery County** with an expiration date of January 20, 2007. Permit issued January 19, 2006.

48064101. Austin Powder Company (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Country Side Estates in Forks Township, **Northampton County** with an expiration date of January 11, 2007. Permit issued January 19, 2006.

67064102. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Craft Sanitary Sewer Project in Conewago Township, **York County** with an expiration date of January 31, 2007. Permit issued January 19, 2006.

22064001. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Hershey Park for a New Bath House Building in Derry Township, **Dauphin County** with an expiration date of December 31, 2006. Permit issued January 18, 2006.

01064001. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Simme Valley Estates Subdivision in Oxford Township, **Adams County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

21064001. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Cooper Ridge Subdivision in Lemoyne Borough, **Cumberland County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67064001. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Ashcombe Farms Subdivision in Dover Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67064002. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Straffordshire Subdivision in Manchester Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67064003. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Hedge Gate Subdivision in Manchester Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67064004. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Green Ridge Subdivision in East Manchester Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67064005. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Motter Tract Subdivision in Springettsbury Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67064006. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Mill Creek Subdivision in Conewago Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67064007. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Iron Bridge Subdivision in West Manchester Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67064008. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Dauberton Subdivision in Manchester Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67064009. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at New Brittney Subdivision in Manchester Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

67054010. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at the Joseph Road Wastewater Treatment Plant/New Pumping Station in North Codorus Township, **York County** with an expiration date of December 31, 2006. Permit issued January 19, 2006.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-746. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1575, Thornbury Township, **Chester County**, ACOE Philadelphia District.

To remove, replace and maintain an existing 38-foot long, 16-foot wide and 6.5-foot high single span steel girder bridge with a single precast reinforced concrete ConSpan arch with 48 feet long, 31 feet and 7-inches wide and 12 feet high in and along tributary to the East

Branch of Chester Creek (WWF) on Westtown-Thornton Road (SR 2005, Section 62B).

Work will also include:

1. Approximately 212 feet and 158 feet of approach work on the north and south approaches, respectively.
2. Installation of the stormwater facilities and associated outfall relocation along the north side of the proposed road downstream from the bridge.
3. Installation of the temporary access, consisting of causeway crossings the creek.

This site is located immediately after the SEPTA railroad underpass on Westtown-Thornton Road (West Chester, PA, Quadrangle N: 10.0 inches; W: 6.4 inches). This Permit will replace an existing application E15-713.

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

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

E22-495: Spring Creek Golf Course, 450 E. Chocolate Avenue, Hershey, PA 17033 in Derry Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain tee boxes and fairways in the floodway of Spring Creek (WWF) for the purpose of improving the existing Spring Creek Golf Course and to install and maintain five, 4-inch PVC outfalls along Spring Creek on the property of Spring Creek Golf Course, Hershey, PA Quadrangle 7.1" North, 1.7" West (Latitude: 40° 17' 19", Longitude: 76° 38' 13") in Derry Township, Dauphin County.

E21-352: George Ely, 1 Brenely Lane, Mount Holly Springs, PA 17065 in Mount Holly Springs Borough, **Cumberland County**, ACOE Baltimore District.

To construct and maintain a 410 square foot addition to an existing private residence at 11 Brenely Lane along Mountain Creek (TSF), located approximately 210 feet downstream of the Pine Street Bridge (Mt Holly Springs, PA Quadrangle N: 20.92 inches; W: 8.85 inches) in the Borough of Mt Holly Springs, Cumberland County.

E21-370: Silver Spring Square II, LP, Regency Centers, 150 Monument Road, Suite 406, Bala Cynwyd, PA 19004 in Silver Spring Township, **Cumberland County**, ACOE Baltimore District

To construct and maintain a bridge having a span of 137.9 feet, a width of 35.4 feet, and an average underclearance of 10.8 feet on Trindle Spring Run (HQ-CWF) at a point approximately 1,950 feet downstream of the Carlisle Pike (SR 11) bridge crossing of Trindle Spring Run, and to construct and maintain a 12-inch stormwater outfall structure located approximately 60 feet downstream of the proposed bridge (Wertzville, PA Quadrangle N: 0.3 inch; W: 1.1 inches; Latitude: 40° 15' 06", Longitude: 77° 00' 27") in Silver Spring Township, Cumberland County.

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

E18-404. Jacob S. Fisher, 70 Buggy Shop Lane, Loganton, PA 17747. Fisher's Dairy Farm bridge in Greene Township, **Clinton County**, ACOE Baltimore District (Loganton, PA Quadrangle N: 5.00 inches; W: 8.38 inches).

To construct and maintain a steel-framed bridge deck with a 45-foot clear span, 10-foot minimum underclearance and R-6 riprap on both abutting stream banks across Fishing Creek located 2,500 feet southwest of the intersection of SR 880 and SR 477 to replace an existing agricultural ford crossing on his dairy farm. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E41-555. Mark and Valerie Dunkle, 538 Raven Circle, Wyoming, DE 19934. Small Projects Water Obstruction and Encroachment Joint Permit, in Pine Township, **Lycoming County**, ACOE Susquehanna River Basin District (English Center, PA Quadrangle N: 9.75 inches; W: 7.95 inches).

To construct and maintain an "at-grade" concrete pad measuring 12 feet wide by 33 feet long within the floodway of Little Pine Creek as well as 25 linear feet of riprap along the streambank of Little Pine Creek, located 1.6 miles southwest of the intersection of SR 0287 and SR 4001 along SR 4001 in Pine Township, Lycoming County. This project does not propose to impact any wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E10-402, Donald C. and Jennifer M. Kaelin, 990 Prospect Road, Evans City, PA 16033. Pond Expansion, in Connoquenessing Township, **Butler County**, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 16.95 inches; W: 5.3 inches).

To expand the existing pond having a normal pool area of 0.32 acre to a proposed normal pool area of 0.90 acre impacting 0.075 acre of PEM/PSS wetlands and to impact 130 feet of a UNT to the Little Connoquenessing Creek (CWF) approximately 250 feet northwest of the intersection of Shannon and Prospect Roads. The permittee is required to provide 0.075 acre of replacement wetlands.

E37-168, Tennessee Gas Pipeline, 1211 Greenville-Mercer Road, Mercer, PA 16137. TGP 300-1 Line Crossing at Buchanan Run, in Pulaski Township, **Lawrence County**, ACOE Pittsburgh District (Edinburg, PA Quadrangle N: 41° 07' 24.7"; W: 080° 23' 53.52").

To install and maintain concrete revetment within approximately 150 linear feet of the channel of Buchanan Run and approximately 100 linear feet of a tributary to Buchanan Run to provide cover and erosion protection to two existing, exposed natural gas pipeline crossings of Buchanan Run approximately 800 feet downstream of English Road.

E42-317, Catalyst Energy, Inc, 800 Cranberry Woods Drive, Cranberry Township, PA 16066. Bridge over unt Railroad Run Moody Lot No. 65, in Lafayette Township, **McKean County**, ACOE Pittsburgh District (Lewis Run, PA Quadrangle N: 19.35 inches; W: 0.36 inch).

To construct and maintain a single span pre-engineered/constructed steel bridge w/concrete stub abutments having a clear span of 18 feet a width of 10 feet and average underclearance of approximately 6 feet across a UNT to Railroad Run (EV) approximately 600 feet northwest of the intersection of Baltimore Railroad and Droney Road.

E25-703, Department of Transportation, District 1-0. S.R. 3013, Section B00, in Sandycreek Township and Victory Township, **Venango County**, ACOE Pittsburgh District (Polk, PA Quadrangle N 41° 20' 30"; W 79° 53' 00").

The applicant proposes to remove the existing structure and to construct and maintain a three-span steel girder bridge having clear spans of 130 feet, 175 feet and 130 feet and an approximate underclearance of 40 feet, approximately 2 miles SW of the intersection of SR 0008 and SR 3013 over Sandy Creek on SR 3013, Section B00. Sandy Creek is a perennial stream classified as a WWF. Project includes a temporary construction causeway. The project proposes to impact approximately 40 feet of stream.

SPECIAL NOTICES

Plan Revision Approval under the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

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

The Department of Environmental Protection (Department) approved the Bucks County Municipal Waste Management Plan Revision on January 17, 2006.

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.

The plan revision is a public document and may be viewed at the Department's Regional Office noted previously.

Questions concerning this approval should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472 or to Calvin Ligons, Regional Planning and

Recycling Coordinator, Bureau of Land Recycling and Waste Management at the Regional Office, (484) 250-5960.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Statement of Decision

The Department of Environmental Protection (Department) has filed a statement of the basis and purpose of its decision regarding the remedial response for Operable Unit 2 at the Bear Creek Area Chemical site (Site) in accordance with section 506(e) of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. § 6020.506(e)). The Remedial Response for Operable Unit 2 is the construction of a new public water supply system to service the homes, businesses and institutions whose public or private water supply wells have been contaminated or threatened with contamination by impacted Site groundwater. The water supply source and the service area of the new public water supply system is described in the Department's statement of decision.

Under section 506 of the HSCA, the Department published a notice of proposed response in the December 21, 2002, editions of the *Pennsylvania Bulletin* and the *Butler Eagle*. Copies were also mailed to known potentially responsible persons for the Site on December 20, 2002. Written comments were accepted during the comment period, which closed on March 21, 2003. The Department received written comments from four interested parties. The Department considered all comments, criticisms and new data provided from all the interested parties in reaching its decision. The Department's Response to Public Comments Document for those written comments received is filed in the administrative record for this response.

The Department's statement of decision is also part of the administrative record for the Site and is available to the public at the Department's Northwest Regional Office in Meadville and at the Fairview Township Municipal Building, 1571 Hooker Road, Karns City, PA 16041.

Announcement of Resource Recovery Demonstration Grant under the Solid Waste-Resource Recovery Development Act

In accordance with 25 Pa. Code §§ 76.13 and 76.82(c) (relating to public notice of application; and review of Department decision), notice is hereby given that the Department of Environmental Protection (Department) has approved grants to the following application sponsor under the Pennsylvania Solid Waste Resource Recovery Development Act (35 P. S. §§ 755.1—755.14).

The grant offerings are subject to completion of a contract with the Department in accordance with the Scope of Work approved by the Bureau of Waste Management. Grants are limited to no more than the maximum amount provided in the grant offering, up to 75% of the total eligible demonstration project costs.

Inquiries concerning this notice should be directed to John Lundsted, Recycling Technical Assistance Coordinator, Department of Environmental Protection, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

2004 Act 198 Demonstration Grants

<i>Development Agency</i>	<i>Description of Project</i>	<i>Amount</i>
Waste System Authority of Eastern Montgomery County	The Township will develop and establish a waste management system utilizing "Pay-As-You-Throw" by billing customers for the actual weight of trash being disposed of as well as combining it with an incentive based recycling program.	\$100,000

Categorical Exclusion

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

Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jersey Shore Borough	232 Smith St. Jersey Shore, PA 17740	Lycoming

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Borough of Jersey Shore proposes a sanitary sewer slip lining and manhole rehabilitation project to reduce inflow and infiltration, which causes sanitary sewer bypasses at their Pump Station and Sewage Treatment Plant. The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impacts resulting from this proposal. The Department has categorically excluded this project from the State Environmental Review Process.

Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Municipal Authority of the City of Sunbury	562 S. 4th Street Sunbury, PA 17801	Northumberland

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Municipal Authority proposes a project to reduce wet weather discharges from its combined sewer system. The project will include upgrades at two pump stations, increasing capacity in conveyance lines and some upgrade work at the wastewater treatment facility. The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impacts resulting from this proposal. The Department has categorically excluded this project from the State Environmental Review Process.

[Pa.B. Doc. No. 06-186. Filed for public inspection February 3, 2006, 9:00 a.m.]

Agricultural Advisory Board Meeting Cancellation

The Agricultural Advisory Board meeting scheduled for February 15, 2006, has been cancelled. The next meeting is scheduled to occur on April 19, 2006, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the cancellation of the February 15, 2006, meeting or the April 19, 2006, meeting should be directed to Randal Adams, Bureau of Watershed Management, (717) 772-5668, ranadams@state.pa.us. The agenda and meeting materials for the April 19, 2006, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: Participation, Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department at (717) 772-5668 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-187. Filed for public inspection February 3, 2006, 9:00 a.m.]

NOx Budget Trading Program; New Source Set-Aside 2006 Proposed Allocations

The Department of Environmental Protection (Department) is providing notice and an opportunity for comment regarding the proposed allowance allocations from the new source set-aside for the 2006 control period (May 1, 2006—September 30, 2006). The new source set-aside contains 2,542 allowances, 1,920 of which are available for new sources after allocation corrections. For each NOx budget unit, Table 1 lists the following: the allowances applied for under the "request" column; the maximum potential number of allowances authorized by the regulation under the "maximum" column; and the final, pro-rata allocation under the "allocation" column. Each unit received approximately 33% of its requested 2006 NOx allowance allocation.

New source operators are advised that this allocation is for one control period only. To receive allocations from the new source set-aside for future control periods, source operators must submit new requests to the Department by January 1 each year.

Written Comments

Written comments on the proposed allowance allocations from the new source set-aside for the 2006 control period should be sent to the Department of Environmental Protection, Bureau of Air Quality, Division of Air Resource Management, 400 Market Street, P. O. Box 8468, Harrisburg, PA 17105-8468. The Department must receive written comments by February 21, 2006. Questions concerning this notice should be directed to Jane Mahinske, Division of Air Resource Management at (717) 783-8949.

Table 1—2006 New Source Set-Aside Allocations

<i>Facility</i>	<i>ORIS</i>	<i>Point ID</i>	<i>Request</i>	<i>Maximum</i>	<i>Allocation</i>
AES Ironwood, LLC	55337	1	92	92	31
AES Ironwood, LLC	55337	2	92	92	31
PEI Power (Archbald)	50279	2	84	84	28
Allegheny Energy 1	55196	1	42	42	14
Allegheny Energy 2	55196	2	42	42	14
Allegheny Energy 3	55710	1	38	38	13
Allegheny Energy 4	55710	2	38	38	13
Allegheny Energy 8	55377	8	52	52	17
Allegheny Energy 9	55377	9	52	52	17
Allegheny Energy 12	55654	12	51	51	17
Allegheny Energy 13	55654	13	51	51	17
UGI Hunlock Creek Energy	31760	4	38	38	13
Conectiv Bethlehem	55690	1	26	26	9
Conectiv Bethlehem	55690	2	26	26	9
Conectiv Bethlehem	55690	3	26	26	9
Conectiv Bethlehem	55690	5	26	26	9
Conectiv Bethlehem	55690	6	26	26	9
Conectiv Bethlehem	55690	7	26	26	9
Grays Ferry Cogen	54785	2	311	311	105
Grays Ferry Cogen	54785	25	205	205	69
Williams Gen. Hazelton	10870	2	39	39	13
Williams Gen. Hazelton	10870	3	39	39	13
Williams Gen. Hazelton	10870	4	39	39	13
Armstrong Energy LLC	55347	1	278	278	94
Armstrong Energy LLC	55347	2	278	278	94
Armstrong Energy LLC	55347	3	278	278	94
Armstrong Energy LLC	55347	4	278	278	94
Fairless Energy, LLC	555298	1A	39	39	13
Fairless Energy, LLC	555298	1B	39	39	13
Fairless Energy, LLC	555298	2A	39	39	13
Fairless Energy, LLC	555298	2B	39	39	13
PPL (Lower Mount Bethel)	55667	1	49	49	16
PPL (Lower Mount Bethel)	55667	2	49	49	16
Merck & Co. (Turbine #3)	52149	40	35	35	12
Liberty Electric Power	55231	1	76	76	26
Liberty Electric Power	55231	2	76	76	26
Reliant Energy (Seward)	313	CFB1	697	697	236
Reliant Energy (Seward)	313	CFB2	697	697	236
Reliant (Hunterstown LLC)	31100	CT101	52	52	17
Reliant (Hunterstown LLC)	31100	CT201	52	52	17
Reliant (Hunterstown LLC)	31100	CT301	52	52	17
Duke Energy Armaugh	880071	31301	52	52	17
Duke Energy Entriken	880072	31601	53	53	18
Duke Fayette Energy	55516	U1	43	43	14
Duke Fayette Energy	55516	U2	43	43	14
Ontelaunee Energy Center	55193	CT1	27	27	9
Ontelaunee Energy Center	55193	CT2	27	27	9
FPL Energy (Marcus Hook)	55801	CT1	54	54	18
FPL Energy (Marcus Hook)	55801	CT2	54	54	18
FPL Energy (Marcus Hook)	55801	CT3	54	54	18
FPL Energy (Marcus Hook)	55801	AB1	43	43	14
FPL Energy (Marcus Hook)	55801	AB2	43	43	14
FPL Energy (Marcus Hook)	55801	AB3	43	43	14
FPL Energy (Marcus Hook)	55801	AB4	43	43	14
Handsome Lake Energy	55233	EUZ1A	55	55	19
Handsome Lake Energy	55233	EUZ1B	55	55	19
Handsome Lake Energy	55233	EUZ2A	55	55	19
Handsome Lake Energy	55233	EUZ2B	55	55	19
Handsome Lake Energy	55233	EUZ3A	55	55	19
Handsome Lake Energy	55233	EUZ3B	55	55	19

<i>Facility</i>	<i>ORIS</i>	<i>Point ID</i>	<i>Request</i>	<i>Maximum</i>	<i>Allocation</i>
Handsome Lake Energy	55233	EUZ4A	55	55	19
Handsome Lake Energy	55233	EUZ4B	55	55	19
Handsome Lake Energy	55233	EUZ5A	55	55	19
Handsome Lake Energy	55233	EUZ5B	55	55	19
		Totals	5658	5658	1920

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-188. Filed for public inspection February 3, 2006, 9:00 a.m.]

Water Resources Regional Committees Meeting Cancellations

The following meetings of the Water Resources Regional Committees have been cancelled:

Ohio Water Resources Regional Committee, February 13, 2006

Great Lakes Water Resources Regional Committee, February 14, 2006

Potomac Water Resources Regional Committee, February 17, 2006

Upper Susquehanna Water Resources Regional Committee, February 23, 2006

The next scheduled meetings of the listed committees will be held in May 2006. A notice concerning the dates and locations for these meetings will be published in a future issue of the *Pennsylvania Bulletin*.

Questions concerning the cancellation of the listed meetings should be directed to Lori Mohr, Water Planning Office, (717) 787-4628, laumohr@state.pa.us. Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department of Environmental Protection (Department) at (717) 787-4628 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-189. Filed for public inspection February 3, 2006, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

State Surplus Property

The Department of General Services, State Surplus Property is seeking contractors to remove scrap batteries from State agencies throughout this Commonwealth. Some of these contracts begin on July 1, 2006. For more information, call (717) 787-4085 or write to the Department of General Services, State Surplus Property, Room

G-46, 2221 Forster St., Harrisburg, PA 17125, mthrush@state.pa.us prior to the bid opening on May 4, 2006.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 06-190. Filed for public inspection February 3, 2006, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Canonsburg General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Canonsburg General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.2.A2 and A4, 7.2.B1 and B2, B4, B5, B6, B7, B9, B11, B12, B13a, B14, B15, B16, B17, B19 and B22 (relating to medical surgical/IRU nursing unit).

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

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

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

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

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

[Pa.B. Doc. No. 06-191. Filed for public inspection February 3, 2006, 9:00 a.m.]

Application of Valley Pain Center for Exception

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

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

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

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

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

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

[Pa.B. Doc. No. 06-192. Filed for public inspection February 3, 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):

Masonic Village at Sewickley
1000 Masonic Drive
Sewickley, PA 15143

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

Vincentian Home
111 Perrymont Road
Pittsburgh, PA 15237

Mountain Laurel Nursing and Rehabilitation Center
700 Leonard Street
Clearfield, PA 16830
FAC ID 032702

Menno Haven, Inc.
2075 Scotland Avenue
Chambersburg, PA 17201
FAC ID 132202

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.38(a) (relating to toilet facilities):

Beverly Healthcare—Oakmont
26 Ann Street
Oakmont, PA 15139

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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation 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. 06-193. Filed for public inspection February 3, 2006, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Income Limits for the Categorically Needy Non-money Payment Medicaid Program

The Department of Public Welfare (Department) increased the income limits codified in 55 Pa. Code § 181.1(f)(1), (2) and (4) (relating to general policy on MA income common to all categories of MA) effective January 1, 2006.

The regulations in 55 Pa. Code § 181.1(f)(1), (2) and (4) establish that the income limits for the Categorically Needy Nonmoney Payment Medicaid Program (program) for aged, blind and disabled persons are based on the Federal benefit rate payable under Title XVI of the Social Security Act (42 U.S.C.A §§ 1381—1383c). Effective January 1, 2006, the Federal benefit rate was increased due to the Federal cost-of-living increase.

As required under 55 Pa. Code § 181.1(f), the Department revised the income limits for the program for aged, blind and disabled persons effective January 1, 2006. Those limits are set forth in Appendices A, B and D, which are recommended for codification in 55 Pa. Code Chapter 181 (relating to income provisions for categorically needy NMP-MA and MNO-MA). Appendix A is the Federal benefit rate plus the State supplement payable under Title XVI. Appendix B is 300% of the Federal benefit rate payable under Title XVI. Appendix D is the Federal benefit rate payable under Title XVI. Item 1 of Appendix D is 1/2 of the Federal benefit rate for one person. Item 2 of Appendix D is 1/2 of the Federal benefit rate for two persons.

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-464. (1) General Fund;

	<i>Inpatient</i>	<i>Outpatient</i>	<i>Capitation</i>
(2) Implementing Year 2005-06 is	\$13,000	\$25,000	\$113,000
(3) 1st Succeeding Year 2006-07 is	\$41,000	\$82,000	\$252,000
2nd Succeeding Year 2007-08 is	\$43,000	\$88,000	\$277,000
3rd Succeeding Year 2008-09 is	\$44,000	\$95,000	\$305,000
4th Succeeding Year 2009-10 is	\$45,000	\$102,000	\$336,000
5th Succeeding Year 2010-11 is	\$46,000	\$110,000	\$370,000
(4) 2004-05 Program—	\$531,785,000	\$842,991,000	\$2,691,000,000
2003-04 Program—	\$411,042,000	\$727,979,000	\$2,298,000,000
2002-03 Program	\$407,104,000	\$666,832,000	\$2,013,000,000

(7) MA—Inpatient, MA—Outpatient and MA—Capitation; (8) recommends adoption. Funds have been included in the Department's budget to cover this increase.

APPENDIX A

CATEGORICALLY NEEDY NONMONEY PAYMENT
MONTHLY INCOME LIMITS FOR THE AGED,
BLIND AND DISABLED CATEGORIES
EFFECTIVE JANUARY 1, 2006

1 PERSON	\$630.40
2 PERSONS	\$947.70

APPENDIX B

CATEGORICALLY NEEDY NONMONEY PAYMENT
MONTHLY INCOME LIMITS FOR THE AGED,
BLIND, AND DISABLED CATEGORIES RECEIVING
SKILLED CARE, HEAVY CARE/INTERMEDIATE
SERVICES OR INTERMEDIATE CARE
EFFECTIVE JANUARY 1, 2006

1 PERSON	\$1,809
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APPENDIX D

MONTHLY FEDERAL BENEFIT RATE EFFECTIVE
JANUARY 1, 2006

1 PERSON	\$603
2 PERSONS	\$904

PERCENTAGES OF MONTHLY FEDERAL BENEFIT
RATE EFFECTIVE JANUARY 1, 2006

- ITEM 1) 50% of Federal Benefit Rate
for 1 person = \$301.50
- ITEM 2) 50% of Federal Benefit Rate
for 2 persons = \$462.00

[Pa.B. Doc. No. 06-194. Filed for public inspection February 3, 2006, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation (Department), under the authority contained in section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has

been submitted to the Department by Massaro Properties, LLC seeking to lease highway right-of-way located at 2336 Babcock Boulevard (SR 4011 Section 09M), Ross Township, Allegheny County, containing 6,000± square feet or 0.137± acre for the purpose of parking and landscaping.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to H. Daniel Cessna, P. E., District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use should be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 06-195. Filed for public inspection February 3, 2006, 9:00 a.m.]

Finding Mercer County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Deputy Secretary for Highway Administration, Department of Transportation (Department) makes the following written finding:

The Department plans to replace the existing Milburn Road Bridge, carrying SR 2004 over Neshannock Creek in Springfield Township, Mercer County. The existing Milburn Road Bridge has been determined eligible for the National Register of Historic Places. The effect of this project on the Milburn Road Bridge will be mitigated by the following measures to minimize harm to the resources.

1. Prior to the replacement of the Milburn Road Bridge, the structure will be recorded following State level recordation guidelines. The Department shall ensure that all documentation is completed and accepted by the State Historic Preservation Officer (SHPO) prior to implementation of the undertaking and that copies of the recordation are available to the SHPO and appropriate local archives designated by the SHPO.

2. Prior to replacement of the Milburn Road Bridge, the bridge plaques shall be salvaged and offered to the Mercer County Historical Society (Society).

3. An educational program will be developed in association with the Society. The program will highlight the history and significance of the Milburn Road Bridge and educate the public about historic truss bridges in Mercer County. The educational program will include two components: a website on Mercer County truss bridges and a presentation at the Society.

4. The Milburn Road Bridge will be marketed for reuse utilizing the Department's Cultural Resources Management webpage.

The Deputy Secretary for Highway Administration has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize effects.

GARY L. HOFFMAN, P. E.,
Deputy Secretary for Highway Administration

[Pa.B. Doc. No. 06-196. Filed for public inspection February 3, 2006, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Environmental Quality Board Meeting Cancellation

The February 21, 2006, Environmental Quality Board (Board) meeting has been cancelled. The next meeting of the Board is scheduled for Tuesday, March 21, 2006, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. An agenda and meeting materials for the meeting will be available on the Department of Environmental Protection's website: www.depweb.state.pa.us (DEP Keyword: EQB).

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

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 06-197. Filed for public inspection February 3, 2006, 9:00 a.m.]

FISH AND BOAT COMMISSION

Lake Erie Commercial Fishing—2006

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 69.31(b) (relating to seasons), has determined that the 2006 total allowable commercial catch for walleye from the Commonwealth waters of Lake Erie is 4,000 pounds. The commercial fishing season for walleye on Lake Erie is January 1 to midnight March 15 and 12:01 a.m. the first Saturday in May to December 31. This season ends when the Executive Director determines that 4,000 pounds of walleye probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

The Executive Director of the Commission, acting under the authority of 58 Pa. Code § 69.31(c), has established that the 2006 total allowable commercial catch for yellow perch from the Commonwealth waters of Lake Erie is 35,000 pounds. The commercial fishing season for yellow perch on Lake Erie is January 1 until the date the Executive Director determines that 35,000 pounds of yellow perch probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

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

[Pa.B. Doc. No. 06-198. Filed for public inspection February 3, 2006, 9:00 a.m.]

GOVERNOR'S OFFICE

Regulatory Agenda

Executive Order 1996-1, requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. The following is the twentieth publication of the Administration's regulatory agenda, grouped by agency. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ADMINISTRATION			
No regulations being developed or considered at this date.			
AGING			
Pa. Code Title VI Chapter 3 Fair Hearings and Appeals	December 2006, as proposed	This regulation has been initially reviewed by stakeholders in response to passage of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1. It is being reviewed internally to improve Departmental procedures and efficiencies.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 11 Older Adult Daily Living Centers	September 2007, as proposed.	A review of these regulations will be conducted in order to assure consistency with ongoing interdepartmental discussions regarding development of long term care services.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 15 Protective Services for Older Adults	December 2007, as proposed.	The law and regulations are under review in light of the decision of the Pennsylvania Supreme Court in <i>Nixon et al. v. Commonwealth, et al.</i> , which found the current protective services law and regulations to be unconstitutional.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 20 Family Caregiver Support Program	December 2007, as proposed.	A review of these regulations will be conducted in order to assure consistency with ongoing interdepartmental discussion regarding development of the family caregiver support program.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 21 Domiciliary Care Services for Adults	December 2007, as proposed.	A review of these regulations will be conducted in order to assure consistency with ongoing interdepartmental discussions regarding development of community living alternatives.	Robert Hussar 717-783-6207
Pa. Code Title VI Chapter 22 Pharmaceutical Assistance Contract for the Elderly	December 2006, as proposed.	The Department is working with the Administration to amend the PACE law and regulations to effect coordination of the Federal prescription drug benefit with the PACE/PACENET programs.	Thomas Snedden 717-787-7313
Pa. Code Title VI Chapter 23 Long Term Care Ombudsman Program	December 2007, as proposed.	The Department wishes to promulgate regulations for the Long Term Care Ombudsman program in order to bring it into conformity with national standards.	Robert Hussar 717-783-6207
AGRICULTURE			
Domestic Animal 7 Pa. Code Chapter 2	June, 2006, as proposed.	This long-term project is intended to update the Department's regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).	Paul Knepley, DVM (717) 772-2852
Cervidae 7 Pa. Code Chapter 18	June, 2006, as proposed.	Act 190 of 2002 amended the Domestic Animal Law to require the Department to license and regulate cervidae livestock operations.	Paul Knepley, DVM (717) 772-2852
Animal Exhibition Sanitation 7 Pa. Code Chapter 21	June, 2006, as proposed.	Act 190 of 2002 amended the Domestic Animal Law to require the Department to enforce sanitation requirements at animal exhibitions, and to regulate as necessary to meet this requirement.	Paul Knepley, DVM (717) 772-2852
Amusement Rides 7 Pa. Code Chapter 139	March, 2006, as proposed.	This regulation will update the current regulation at 7 Pa. Code Chapter 139 to reflect changes to the Amusement Ride Inspection Act (4 P. S. §§ 401—418).	Kent D. Shelhamer (717) 787-9089

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Harness Racing Commission 58 Pa. Code Chapters 181, 183, 185 and 186—190	May, 2006, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in harness racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 181, 183, 185 and 186—190, including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Anton J. Leppler (717) 787-5196
Horse Racing Commission 58 Pa. Code Chapters 161, 163, 165, 167, 169, 171 and 173	May, 2006, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in thoroughbred horse racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 161, 163, 165, 167, 169, 171 and 173 including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Benjamin H. Nolt, Jr. (717) 787-1942
Horse Racing Commission 58 Pa. Code § 163.531 Definitions	May, 2006, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in thoroughbred horse racing that did not exist when the current regulations were originally promulgated. This regulation is a short-term project and would amend 58 Pa. Code § 163.531 by amendment to the Definitions Section of the Pennsylvania Breeders' Fund Program found at 58 Pa. Code §§ 163.531—163.538.	Benjamin H. Nolt, Jr. (717) 787-1942
Fruit Tree Improvement Program 7 Pa. Code Chapter 120	November, 2008, as proposed.	This regulation would facilitate interstate and international export of Pennsylvania-grown fruit tree nursery stock. This regulation would amend 7 Pa. Code Chapter 120, which provides testing and inspection standards and procedures pursuant to which fruit tree nursery stock can be certified as to quality, consistency and disease/insect-free status. The regulation would be a technical update of current provisions, would bring this program into greater conformity with programs in other states and would provide more practical assistance to participating growers.	Ruth Welliver (717) 772-5222
Pesticide Regulations 7 Pa. Code Chapter 128	January, 2007, as proposed.	This regulation will amend 7 Pa. Code Chapter 128 and is necessary to update current regulations, to make them more user friendly, address pesticide security issues, set minimum certification age requirements, dealer licensing, and changes in federal pesticide registration changes.	David Scott (717) 772-5214

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Certification of Virus-Tested Geraniums 7 Pa. Code Chapter 122	September, 2008, as proposed.	This regulation would amend the current regulatory authority to update the voluntary program pursuant to which geranium producers may obtain the Department's certification of virus-tested geraniums. This amendment would establish an inspection fee to help cover the Department's costs in inspecting and testing geraniums offered for certification. This regulation would amend 7 Pa. Code Chapter 122 to: 1) expand the certification of virus-tested geraniums to include Culture-Indexed Geraniums, which are free from certain economically-important bacterial and fungal pathogens; and 2) establish a reasonable fee for the Department's inspection and certification services	Ruth Welliver (717) 772-5222
Chemsweep Regulations 7 Pa. Code Chapter 128b	March, 2006, as final.	This regulation will amend 7 Pa. Code Chapter 128b to expand the pesticide disposal program which has been limited to agricultural pesticide products. The amendment will include all Commonwealth citizens who are in possession of cancelled, unused or suspended pesticides.	Phil Pitzer (717) 772-5206
Nutrient Management Certification Program 7 Pa. Code Chapter 130b	Published as final in the December 3, 2005 edition of the <i>Pennsylvania Bulletin</i> .	This regulation will amend 7 Pa. Code Chapter 130b and is necessary to update and correct inconsistencies in the current regulations, redefine specialist categories; allow flexibility for the Department to modify competency areas and training focus; determine additional competency area needs and clarify continuing education requirements. The revision of this regulation will allow participants in the certification program to remain qualified to meet nutrient management planning requirements established in section 7(a) of the Nutrient Management Act of 1993 (Act 6).	Johan E. Berger (717) 772-4189
Fertilizer Regulations 7 Pa. Code Chapter 73	September, 2007, as proposed.	This regulation will replace 7 Pa. Code Chapter 73 and implement provisions of 3 Pa.C.S.A. §§ 6701—6725 (Fertilizer Act).	John Breitsman (717) 772-5215
Soil and Plant Amendment Regulations 7 Pa. Code Chapter 130a	September, 2007, as proposed.	This regulation will replace 7 Pa. Code Chapter 130a and implement provisions of 3 Pa.C.S.A. §§ 6901—6921 (Soil and Plant Amendment Act.)	John Breitsman (717) 772-5215
Dog Law 7 Pa. Code Chapters 23, 25 and 27	April, 2006, as proposed	House Bill 397 of 1996 accomplished revisions of the Dog Law that will necessitate regulatory revisions. This regulation is a long-term project and would amend 7 Pa. Code Chapters 23, 25 and 27 to bring them into greater conformity with statutory revisions. The Dog Law (3 P. S. §§ 459-10 et seq.) is the statutory basis for this regulation.	Mary Y. Bender (717) 787-4833
Clean and Green Regulations 7 Pa. Code Chapter 137b	March, 2006, as proposed.	This regulation will address statutory changes made by Act 235 of 2004, and will otherwise update the current regulation.	Sandra E. Robison (717) 783-3167
Agricultural Conservation Easement Purchase Program Regulations 7 Pa. Code Chapter 138e	December, 2006, as proposed.	This regulation will address statutory changes made by Act 61 of 2005, and will otherwise update the current regulation.	Sandra E. Robison (717) 783-3167
Seed Testing Labeling and Standards 7 Pa. Code Chapter 111	June, 2007, as proposed.	This regulation will supplant the current regulation and implement provisions of 3 Pa.C.S.A §§ 7101—7122 (Seed Act).	Joe Garvey (717) 787-5609

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Provisions and Standards for Seed Certification 7 Pa. Code Chapter 113	June, 2007, as proposed.	This regulation will replace 7 Pa. Code Chapter 113 and 115 by combining them into one chapter-Chapter 113 and implement provisions of 3 Pa.C.S.A. §§ 7101—7122 (Seed Act).	Joe Garvey (717) 787-5609
Commercial Manure Hauler and Broker Certification Program 7 Pa. Code Chapter 130e.	May, 2006, as final.	This will establish regulations for the Commercial Manure Hauler and Broker Certification Program. This regulation will establish certification requirements for those persons commercially hauling or applying manure on behalf of an agricultural operation.	Johan E. Berger (717) 772-4189
<i>BANKING</i>			
Annual Assessment Regulation	Early 2006	Required pursuant to 17 Pa.C.S. § 503(a) and 71 P. S. § 733-204.A.	Carter D. Frantz (717) 787-1471
Regulation defining unfair/unethical and improper conduct of Mortgage Business under [Acts]	Early 2006	63 P. S. § 456.310(a); 7 P. S. § 6616(1); 7 P. S. § 6212.	Carter D. Frantz (717) 787-1471
<i>BOARD OF PARDONS</i>			
No regulations being developed or considered at this date.			
<i>COMMUNITY & ECONOMIC DEVELOPMENT</i>			
Building Energy Conservation Standards 12 Pa. Code Chapter 147 (Final regulation with rulemaking omitted)	Spring 2006	The regulation will repeal this chapter, as the statute upon which this chapter is based has been repealed by the Pennsylvania Construction Code Act.	Jill B. Busch (717) 720-7314
Manufactured Housing Improvement Program (Final regulation)	Spring 2006	As required by the Manufactured Housing Improvement Act (act of November 29, 2004, P. L. _____, No. 158)), the department will propose final regulations governing the training and certification of new manufactured home installers; the training of those persons who inspect the installation of new manufactured homes in PA; and the enforcement of the regulations once promulgated.	Jill B. Busch (717) 720-7314
Manufactured Housing 12 Pa. Code Chapter 143 (Proposed regulation)	Summer 2006	The purpose of the proposed regulation is to establish fees charged to manufacturers and retailers to cover the costs of extraordinary/follow-up monitoring and inspections incurred by the Department beyond those covered by fees authorized by the United States Department of Housing and Urban Development and to update the existing regulation with the term "Housing Standards Division."	Lisa Maiorana (717) 720-7330
Industrialized Housing and Components 12 Pa. Code Chapter 145 (Proposed Regulation)	Spring of 2006	The purpose of the proposed regulation is to eliminate the exception for the insulation requirement for industrialized homes and adopt the model code requirements for energy efficiency; designate the International Residential Code as the primary standard; provide clarity for the third-party agencies regarding the frequency of inspections; and to reduce the number of required inspections by the Department.	Lisa Maiorana (717) 720-7330
Pennsylvania Industrial Development Authority 12 Pa. Code Chapter 73 (Statement of Policy)	Spring of 2006	The purpose of the statement of policy is to make comprehensive changes to PIDA's policy with respect to project eligibility, advanced technology designation, financial considerations, engineering guidelines, and project format.	Tim Anstine (717) 720-7312

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
COMMISSION ON CRIME AND DELINQUENCY			
Office of Victims' Services, Victims Compensation Assistance Program—Deletion of 37 Pa. Code Chapter 191, replacement with new Chapter 411	February 2006, as Final Form.	To create a new chapter reflecting elimination of Crime Victim's Compensation Board and inclusion of its functions under PCCD pursuant to Act 1995-27 of the Special Session on Crime; changes in terminology and operations brought about by that act and by subsequent legislation, including Act 1998-111 and its relocation of the Crime Victims Act to Purdon's Statutes Title 18 P. S. §§ 11.101—11.5102; Act 85 of 2002 and Act 144 of 2002. This final form regulation will reflect all legislative changes since 1989, when existing regulations were most recently amended.	Lynn Shiner (717) 783-5153 ext. 3210
CONSERVATION & NATURAL RESOURCES			
Conservation of Native Wild Plants (Chapter 45)	Publish proposed rulemaking April 2007.	This proposal is being developed to update existing native wild plant regulations. The legal basis for these regulations is the Wild Resource Conservation Act of 1982. This update is necessary to change the status of various plants to reflect field work completed during the last three years. Recommendations of the Rare Plant Committee and the Vascular Plant Technical Committee will be considered during the development of this proposed rulemaking.	Chris Firestone, Mike Lester and Dan Devlin 717-783-3227
CORRECTIONS			
Revisions to the existing regulations governing county correctional facilities, 37 Pa. Code Chapter 95.	June, 2006, as proposed	The regulation will be revised to eliminate unnecessary regulations and amending necessary regulations to be consistent with current correctional practice.	William Sprenkle (717) 975-4965
Promulgation of state intermediate punishment regulations.	Publication as proposed regulations is anticipated within next 6 months	The regulations will replace the guidelines currently in effect.	Randall N. Sears (717) 731-0444
EDUCATION			
Higher Education—General Provisions 22 Pa. Code, Chapter 31	July 2006, as final.	These regulations are necessary to establish procedures for the approval and operation of institutions of higher education in the Commonwealth. Specific revisions are necessary to clarify the intent of the chapters, modify the timeframe during which new institutions must achieve accreditation, update provisions for library and learning resources, address policies for marketing credit cards on campuses and amend regulations to accommodate for-profit baccalaureate and higher education. These regulations are promulgated under authority of the Public School Code of 1949. 24 P. S. §§ 1-101—27-2702.	Jim Buckheit (717) 787-3787 or James Gearity (717) 787-5041
Higher Education—Foreign Corporation Standards 22 Pa. Code, Chapter 36	March 2006, as proposed.	These regulations are necessary to establish procedures for the approval and operation of out-of-state institutions of higher education currently operating or seeking to operate programs in the Commonwealth.	Jim Buckheit (717) 787-3787 or James Gearity (717) 787-5041
Certification of Professional Personnel 22 Pa. Code, Chapter 49	May 2006, as final.	Regulations outline requirements for teacher preparation, certification and continuing professional education for professional educators.	Jim Buckheit (717) 787-3787 or James Gearity (717) 787-5041

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Vocational Education Standards 22 Pa. Code, Chapter 339	February 2006, as proposed.	A revision of Chapter 339 is necessary to assist schools in developing, funding and maintaining programs that will provide the Commonwealth with a competent workforce. Discussions with the State Board of Vocational Education, as well as practitioners in that field, will be initiated to revise these standards. These regulations are promulgated under the authority of the Pennsylvania School Code, Article 18, regarding Vocational Education, and section 2502.8, regarding Vocational Education Funding. These standards are also provided for under Chapter 4 of Title 22 of the Pa. Code, section 4.32(a).	Lee Burket (717) 787-5530
Standards for Approved Private Schools 22 Pa. Code, Chapter 171 Subchapters A & B	Fall 2006, as proposed.	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). These standards contain general provisions and allowable expenses and costs. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, PL 30, No. 14, March 16, 1949, P. S. Section 1-101, et. Seq. The revised standards will reflect the changes in Chapter 14 and IDEA.	John Tommasini (717) 783-6134
Regulations of the State Board of Private Academic Schools 22 Pa. Code, Chapters 51, 53, 55, 57, 61 and 63	The Board has informally discussed revision of the regulations, received public input and is reviewing that input with the Department to determine appropriate next steps.	These regulations define the requirements for obtaining licensure as a Private Academic School. The Board plans to update the regulations, which were promulgated in 1988. The regulations are promulgated under the Authority of the Private Academic Schools Act (24 P. S. section 6701 et. Seq.).	Mary Ramirez (717) 783-3755
Academic Standards and Assessment, 22 Pa. Code, Chapter 4	May 2006, as final.	These regulations outline state academic standards that public schools must provide instruction to bring students up to proficiency and also provides for the Pennsylvania System of School Assessment, high school graduation requirements and requirements for credentials other than the high school diploma.	Jim Buckheit (717) 787-3787 or Diane Castelbuono (717) 787-2127
Chapter 4—Career Education and Work Academic Standards 22 Pa. Code, Chapter 4	April 2006, as proposed.	The Career Education and Work academic standards describe what students should know and be able to do at grades 2, 5, 8 and 11 in four areas: career awareness and preparation; career acquisition; career retention and advancement; and, entrepreneurship. Academic standards in career education and work are established in the State Board's Chapter 4 regulations.	Jim Buckheit (717) 787-3787 or Lee Burket (717) 787-5530
Regulations of the State Board of Private Licensed Schools 22 Pa. Code, Chapter 73	Accepted by Board on November 4, 2004 and with revisions on February 17, 2005. April 2006 as proposed.	These regulatory changes increase the minimum surety for schools, eliminate "Demonstrated Competency" as an instructor qualification, clarifies that violations of the ethics statement are enforceable, clarify last date of attendance for refund purposes, and eliminate tiered fines, setting the fine for all violations at the statutory maximum of \$1000.	Patricia Landis (717) 783-8228
Higher Education - Institutional Approval 22 Pa. Code, Chapter 40	May 2006, as proposed.	These regulations establish procedures for the approval and operation of independent two-year college, college seminary or university, or for status as a State System, State-related or State-aided institution for the purposes of awarding college credits and granting degrees.	Jim Buckheit (717) 787-3787 or James Gearity (717) 787-5041

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Pupil Attendance 22 Pa. Code, Chapter 11	February 2006, as proposed.	These regulations specify such matters as the school term, school day, minimum hours required, and school age. Proposed changes address requirements for pre-kindergarten program.	Jim Buckheit (717) 787-3787 or Harriet Dichter (717) 346-9320 or (717) 783-6828
Students 22 Pa. Code, Chapter 12	February 2006, as proposed.	These proposed regulations address requirements for pre-kindergarten programs and include a description of the services that school districts must provide to students and include in a written plan. These services, while they may differ from school to school, must include such developmental services as guidance counseling, psychological and other health services, and social work services that support a student's academic, behavioral health, personal, and social development; and diagnostic, intervention and referral services for students experiencing problems attaining educational achievement appropriate to their learning potential.	Jim Buckheit (717) 787-3787 or Harriet Dichter (717) 346-9320 or (717) 783-6828
Higher Education— Institutional Approval 22 Pa. Code, Chapter 4	May 2006, as proposed.	These regulations establish procedures for Specialized associate degree programs at a licensed trade, business, correspondence or beauty culture school which is chartered or established by statute in this Commonwealth; additional programs at a chartered two-year college, college or university which lead to degrees and which have not had prior consistent with the articles of incorporation; upper division undergraduate programs at junior or community colleges; additional programs of a foreign corporation approved to operate at a specific site in this Commonwealth; and, vocational educational programs at institutions desiring approval for State/Federal money allotted for vocational education.	Jim Buckheit (717) 787-3787 or Harriet Dichter (717) 346-9320 or (717) 783-6828
Academic Standards and Assessment 22 Pa. Code, Chapter 4	February 2006, as proposed.	These regulations outline proposed curriculum and program standards for pre-kindergarten programs.	Jim Buckheit (717) 787-3787 or Harriet Dichter (717) 346-9320 or (717) 783-6828
<i>EMERGENCY MANAGEMENT AGENCY</i>			
No regulations being developed or considered at this time.			
<i>ENVIRONMENTAL HEARING BOARD</i>			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Pa. Code Title 25 Chapter 1021 Practice and Procedure	The proposed rulemaking was published in the April 9, 2005 issue of the <i>Pennsylvania Bulletin</i> . Final rulemaking was approved by the Independent Regulatory Review Commission on December 15, 2005, and is expected to be published in the <i>Pennsylvania Bulletin</i> in February 2006.	The Environmental Hearing Board Rules Committee has recommended the following revisions to the Board's rules of practice and procedure: 1) 1021.2 (Definitions)—Amend the definition of "Department" from "Department of Environmental Resources" to "Department of Environmental Protection" to reflect the agency's current title, and to add "and other agencies, boards and commissions" to reflect the fact that decisions of certain entities other than the Department of Environmental Protection are statutorily appealable to the Environmental Hearing Board. 2) 1021.34(b) (Service by a party)—Amend to require service on other parties by overnight delivery where filing with the Board is by overnight mail or personal service. 3) 1021.104 (Prehearing memorandum)—Amend to require that copies of exhibits be attached to the prehearing memorandum as well as "such other information as may be required in the Board's orders." 4) 1021.53 (Amendments)—Allow for the amendment of complaints and allow a more lenient standard for amending notices of appeal. 5) 1021.51(g)—(j) (Commencement, form and content)—Amend who must receive a copy of a notice of appeal and who is named as an automatic party. 6) 1021.54 (Prepayment of penalties)—Eliminate this rule. 7) 1021.91-95 (Motions)—Create a new and separate rule for summary judgment motions. 8) 1021.101(a) (Prehearing procedure)—Eliminate the bifurcation of expert and non-expert discovery, and change certain prehearing deadlines. 9) 1021.141 (Termination of proceedings)—Correct typographical errors.	Mary Anne Wesdock 412-565-5245
ENVIRONMENTAL PROTECTION			
New Source Review Air Pollution Control Act 25 Pa. Code, Chapter 127	FY05-06	The Department's existing new source review (NSR) regulations will be amended to clarify existing requirements and to develop an approvable "equivalency" demonstration as a revision to the State Implementation Plan	Terry Black, John Slade 717-787-2030
Storage Tank Amendments Storage Tank and Spill Prevention Act 25 Pa. Code, Chapter 246	FY05-06	This proposal represents comprehensive amendments to the Storage Tank and Spill Prevention provisions of Chapter 245, which was last updated in 1997.	Ray Powers 717-772-5809
Mine Opening Blasting Surface Mine Conservation and Reclamation Act 25 Pa. Code, Chapter 89	FY05-06	Revisions to Chapter 89 (Underground Mining of Coal and Coal Preparation Facilities) to better coordinate regulation of blasting of underground mine entries between surface blasting requirements and underground blasting requirements.	Bill Allen 717-783-9580
Chapter 85—Bluff Recession and Setback Amendments Bluff Recession and Setback Act 25 Pa. Code, Chapter 85	FY05-06	This proposal will update Chapter 85 based on the bluff study that resulted from a petition submitted by the Millcreek Township Board of Supervisors, Erie County.	Andrew Zemba 717-772-5633

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Nutrient Management 25 Pa. Code, Chapter 83	FY05-06	The State Conservation Commission proposes to revise the current nutrient management regulations affecting concentrated animal operations based on advances in the sciences of agronomics and manure management, as well as public concerns with livestock agriculture.	Doug Goodlander 717-787-8821
Water Resources Planning Water Resources Planning Act 25 Pa. Code, Chapter 110	FY05-06	Addition of new Chapter 110 (Water Resources) establishing requirements for the registration, record keeping and periodic reporting of water withdrawals and water uses in accordance with the Water Resources Act (Act 220 of 2002) to provide information for water resources planning and development of the State Water Plan.	Susan Weaver 717-783-8055
Coal Mine Reclamation Surface Mining Conservation and Reclamation Act 25 Pa. Code, Chapter 86	FY05-06	Revisions to Chapter 86 (Surface and Underground Mining: General) to eliminate an existing reclamation fee and to provide for the reclamation of sites where the operator reclamation bond has been forfeited.	Keith Brady 717-787-4814
Mercury Emissions Air Pollution Control Act 25 Pa. Code	FY05-06	Revise Air Quality regulations to reduce the emission of mercury following input from the Mercury Workgroup.	John Slade 717-783-9476
Newtown Creek et al Stream Redesignation Package Clean Streams Law 25 Pa. Code, Chapter 93	FY05-06	This proposal identifies seven streams (Pine Run, Clearfield County; Indian Spring Run, Chester and Lancaster Counties; Lizard Creek, Carbon County; Indian Creek, Fayette County; Messenger Run, Warren County; Newtown Creek, Bucks County; and Stone Creek, Bedford County) that should be redesignated to provide the correct aquatic life use designation in the water quality standards for these Commonwealth streams.	Bonita Moore 717-772-4462
Radiation Protection Program Radiation Protection Act Radon Certification Act 25 Pa. Code, Chapter 215-240	FY05-06	Rewording of existing requirements and definitions for clarity. Updating of U.S. Nuclear Regulatory Commission incorporation by reference citations. Reinstate industrial radiography incident reporting requirement inadvertently deleted by previous rulemaking. Updating radon protocols.	L. Ray Urciuolo 717-783-9730
Noncoal Program Noncoal Surface Mining Conservation and Reclamation Act 25 Pa. Code, Chapter 77	FY05-06	Revisions to Chapter 77 (Noncoal Mining) that govern the licensing of mine operators and permitting of mines for minerals other than coal. Specific areas for revision include clarification of permit application requirements including, hydrologic data requirements.	Bill Allen 717-783-9580
Oil & Gas Well Program Oil and Gas Act 25 Pa. Code, Chapter 78	FY05-06	Revisions to Chapter 78 (Oil and Gas Wells) that governs the drilling, operation and plugging of oil and gas wells. Includes changes to bond amount. Bond rates were established in the O & G Act in 1984 as \$2,500/single well and \$25,000/blanket well (any # wells greater than 10 wells). These rates are inadequate and the Department has been working with the Oil and Gas Technical Advisory Board to develop a new bond amount.	Ron Gilius 717-772-2199

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Muddy Run Unsuitable for Mining Surface Mining Conservation and Reclamation Act 25 Pa. Code, Chapter 86	FY05-06	Based on a technical study prepared as a result of a petition submitted by Reade Township Municipal Authority, this proposed rulemaking would designate certain coal seams within the Muddy Run (Clearfield and Cambria Counties) watershed be designated as unsuitable for mining operations.	Tom Callaghan 717-783-9582
Surface Mine Safety Surface Mine Conservation and Reclamation Act Noncoal Surface Mine Conservation and Reclamation Act 25 Pa. Code, Chapter 209	FY05-06	Revision to Chapter 209 (Coal Mines) to adopt by reference the Federal MSHA regulations for surface coal mines and surface noncoal mines.	Bill Allen 717-783-9580
Explosives Storage and Use Explosives Act Surface Mining Conservation & Reclamation Act 25 Pa. Code, Chapter 211	FY05-06	Revisions to Chapter 211 (Storage, Use and Handling of Explosives) that govern the storage and use of explosives.	Bill Allen 717-783-9580
Water Quality Toxics Management Strategy—Statement of Policy Clean Streams Law 25 Pa. Code, Chapter 16	FY 05-06	This annual review identifies amendments to the Water Quality Toxics Management Strategy—Statement of Policy. Water Quality Criteria in Appendix A, Table 1 are revised to reflect the latest scientific information and Federal guidelines for criteria development.	Bonita Moore (717) 772-4462
Sewage Facility Program Amendments Sewage Facilities Act 25 Pa. Code, Chapter 71, 72, 73a	FY05-06	Revisions to Chapter 71 (Administration of Sewage Facilities Planning Program), Chapter 72 (Administration of Sewage Facilities Permitting Program) and Chapter 73a (Standards for Onlot Sewage Treatment Facilities) that govern sewage facilities under the Sewage Facilities Act.	Jay Africa 717-783-2941
NPDES Permitting Program Amendments Clean Streams Law 25 Pa. Code, Chapter 91 & 92	FY05-06	Revisions to Chapter 91 (General Provisions) and 92 (National Pollution Discharges Elimination System Permitting, Monitoring and Compliance—NPDES) that govern the NPDES permitting program for point source discharges of water pollution.	Dana Aunkst 717-787-8184
Sewage Treatment Plant Program Amendments Clean Streams Law 25 Pa. Code, Chapter 94	FY05-06	Revisions to Chapter 94 (Municipal Wasteload Management) that govern construction and operation of sewage treatment plants.	Dana Aunkst 717-787-8184
Earth Moving and NPDES for Construction Program Amendments Clean Streams Law Dam Safety & Encroachment Act 25 Pa. Code, Chapters 102	FY05-06	Revisions to Chapter 102 (Erosion and Sedimentation Control).	Ken Murin 717-772-5975

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Water Obstruction, Encroachment & Dam Safety Program Clean Streams Law Dam Safety & Encroachment Act 25 Pa. Code, Chapter 105	FY05-06	Revisions to Chapter 105 (Dam Safety and Water Management) that govern the Commonwealth's water obstruction, wetlands and dam safety program.	Kelly Heffner, Dennis Dickey 717-772-5970
Chapter 109 Safe Drinking Water Act 25 Pa. Code, Chapter 109	FY05-06	This general update will revise several sections in Chapter 109 to retain or obtain primacy, including monitoring and reporting requirements for lead, copper, inorganic chemicals, volatile synthetic organic chemicals, and synthetic organic chemicals. Other sections will be clarified, such as QA/QC requirements for on-line instrumentation; reporting requirements for failure to monitor; and compliance determinations for the chemical contaminants. The update also will include mandatory electronic data reporting requirements.	Lisa Daniels 717-772-2189
Clean Vehicles Program Amendment Air Pollution Control Act 25 Pa. Code, Chapter 126	FY05-06	Revisions to the existing Pennsylvania Clean Vehicles Program in Chapter 126 (Motor Vehicles and Fuels Program). The regulation provides an extension to 2008 for automakers to comply with the current requirements.	Arleen Shulman 717-772-3926
Air Quality Permit Streamlining Air Pollution Control Act 25 Pa. Code, Chapter 127	FY05-06	The proposed regulation will revise certain public notice provisions and public comment provisions to extend from 120 to 180 days the duration for temporary "shake-down" operation of new equipment subject to the Plan Approval requirements.	Terry Black, John Slade 717-787-2030
Portable Fuel Containers Air Pollution Control Act, 25 Pa. Code, Chapter 130	FY05-06	The proposal would revise the portable fuel container regulation to reflect new technology. The new technology makes the containers more user-friendly and provides a slight increase in volatile organic compound and hazardous air pollutant emission reductions.	Terry Black 717-787-2030
Waste Facility Notification near Military Airports Solid Waste Management Act 25 Pa. Code, §§ 271.1, 279.101 & 293.112	FY05-06	This proposed regulation is in response to a petition filed by the Department of Defense. It would amend the Municipal and Residual Waste Regulations to include military airport in the definition of "airport." and require a transfer facility applicant to notify the PENNDOT's Bureau of Aviation and the Federal Aviation Administration and the airport if a proposed transfer facility or expansion is within 6 miles of an airport runway.	Steve Socash 717-787-7381
Residual Waste Program Solid Waste Management Act 25 Pa. Code, Chapter 287—299	FY05-06	Revisions to various chapters in Article IX (Residual Waste Management) that govern the generation, treatment, storage, transportation and disposal of residual waste.	Steve Socash 717-787-7381
Municipal Waste Program Solid Waste Management Act 25 Pa. Code, Chapters 271—285	FY05-06	Revisions to various chapters in Article VIII (Municipal Waste Management) that govern the generation, treatment, storage, transportation and disposal of municipal waste.	Steve Socash 717-787-7381

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Hazardous Waste Program Solid Waste Management Act 25 Pa. Code, Chapters 260—270	FY05-06	Revisions to various chapters in Article VII (Hazardous Waste Management) of Subpart D that govern the generation, treatment, storage, transportation and disposal of hazardous waste.	Rick Shipman 717-783-3390
Land Recycling Program Amendments Land Recycling and Environmental Remediation Standards Act 25 Pa. Code, Chapter 250	FY05-06	The proposed amendments will revise several aspects of the existing Chapter 250 regulations based upon updated scientific information. The amendments will also serve to clarify the existing regulations.	Dave Hess 717-783-9480
Operator Certification Regulations Water and Wastewater Systems Operators' Certification Act 25 Pa. Code, Chapter 302	FY05-06	This proposal will implement the provisions of Act 11 of 2002, the Water and Wastewater Systems Operators' Certification Act which restructures the testing and training program for operators and enhances security provisions for all water and wastewater treatment systems in Pa. Proposal also eliminates remaining provisions in Chapters 301, 303 and 305	Veronica Kasi 717-772-4053
Alternate Fuels Program Alternate Fuels Incentive Act 25 Pa. Code, New Chapter	FY05-06	Revise the existing program regulations to incorporate the program revisions made by Act 178.	Susan Summers 717-783-9242
GENERAL SERVICES			
Responsibility 4 Pa. Code, Chapter 60	February 2006, as proposed	This chapter should be amended to be consistent with the Procurement Code and to provide for uniform debarment and suspension procedures.	Mary B. Seiverling (717) 772-2749
Emergency Construction Repairs 4 Pa. Code, Chapter 67	August 2006, as proposed	The regulation should be amended to more accurately reflect present practice and to delete antiquated contract provisions.	Mary B. Seiverling (717) 772-2749
Processing Subscriptions and Sales of <i>Pennsylvania Code</i> and Related Publications 4 Pa. Code, Chapter 81	Summer 2006, as final omitted	These regulations should be repealed since the DGS' Bureau of Management Services no longer has responsibility for processing subscriptions and orders for the <i>Pennsylvania Code</i> .	Mary B. Seiverling (717) 772-2749
Surplus State Property 4 Pa. Code Chapters 41, 43, 45 & 47	February 2007, as proposed	These regulations will be reviewed to ensure that they accurately reflect present practice and are consistent with the Procurement Code.	Mary B. Seiverling (717) 772-2749
Distribution of Federally Donated Foods to Needy Households, 4 Pa. Code Chapters 51, 53 & 55	November 2006, as final omitted	These regulations should be repealed since the responsibility for this program was transferred to the Dept. of Agriculture.	Mary B. Seiverling (717) 772-2749
Committee on Construction Contract Documents, 4 Pa. Code Chapter 62	July 2006, as final omitted	The Procurement Code repealed the legislation creating this committee, which no longer exists.	Mary B. Seiverling (717) 772-2749
Selections Committee, 4 Pa. Code Chapter 64	December 2006, as proposed	These regulations will be reviewed to ensure that they accurately reflect present practice and are consistent with the Procurement Code.	Mary B. Seiverling (717) 772-2749

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
HEALTH			
Health Facility Licensure-General Administrative Chapter & General and Special Hospitals 28 Pa. Code § 51.1 et seq. 28 Pa. Code § 101.1 et seq.	April 2006, as proposed.	The amendments to existing regulations will update the licensure requirements for hospitals and other health care facilities. Pursuant to the Health Care Facilities Act, 35 P. S. §§ 448.101—448.904b.	Barbara Holland 717-346-9692 James T. Steele, Jr. 717-783-2500
Communicable Diseases 28 Pa. Code § 27.1 et seq.	June 2006, as proposed.	The amendments to existing regulations will clarify the Department's authority to perform disease surveillance and investigation. Pursuant to the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1—521.21.	Yvette M. Kostelac 717-783-2500
Head Injury Program	July 2006, as proposed	The amendments to existing regulations will address client enrollment and provider issues. Pursuant to 35 P. S. § 6934(e).	Crystal Fox 717-783-2500
Supplemental Nutrition Program for Women, Infant's and Children (WIC) 28 Pa. Code § 1101.1 et seq.	April 2006, as final-omitted	The amendments to existing regulations will bring the Commonwealth into compliance with the Child Nutrition and WIC Reauthorization Act of 2004 requirements and allow participants to use WIC vouchers at any WIC authorized store. The amendments will also prohibit authorization of stores that get more than 50% of their annual food revenue from the sale of WIC foods. The amendments will also clarify the availability of minimum inventory during store reviews.	Robert Datorre 717-783-2500
HOUSING FINANCE AGENCY			
No regulations being developed or considered at this date.			
INFRASTRUCTURE INVESTMENT AUTHORITY			
25 Pa. Code §§ 963.12(a)(6) and (7) 963.13(b) 2, 963.13(c), 963.14(a), 963.15(a), and 25 Pa. Code § 965.4(9).	Spring 2007	PENNVEST recommends the following revisions: (1). Delete 25 Pa. Code § 963.12(a) (6) in its entirety and the second sentence of 25 Pa. Code § 963.13(b)(2) thereby allowing PENNVEST to provide financial assistance (loan or grant) for costs associated with the development of an approvable official sewage plan under the Sewage Facilities Act, 35 P. S. § 750.1 et seq. (2). Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor. (3). Amend 25 Pa. Code § 963.13 (c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment on principal and interest on the 60th month. (4). Amend 25 Pa. Code § 963.14(a) by revising the section to clarify when the use of an affordability analysis for the award of grants is necessary. (5). Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only preceding the 20 year term. (6). Amend 25 Pa. Code § 965.4 (9) to allow for eligible land costs under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.	Shawn W. Weis (717)-783-6776

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
INSURANCE			
Producer Licensing, 31 Pa. Code, Chapter 37, §§ 37.1—37.84	Summer/Fall 2006, as proposed.	Act 147 of 2002 sets new standards for Producers in the Commonwealth. This chapter will be repealed and replaced with new regulation consistent with the statute.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Credit Life Insurance & Credit Accident & Health Insurance, 31 Pa. Code, Chapter 73, §§ 73.103 & 73.138	Winter/Spring 2006, as proposed.	Amend the regulation to meet NAIC standards.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Replace Life Insurance Annuities, 31 Pa. Code, Chapter 81, §§ 81.1-9	Spring/Summer 2006, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Minimum Reserve Standards for Individual and Group Health and Accident Insurance Contracts, 31 Pa. Code, §§ 84a.1-84a.8	Winter/Spring 2006, as proposed.	Amend the regulation to new minimum standards adopted by the NAIC.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Life Insurance Illustrations (New Chapter 87a)	Fall/Winter 2006, as proposed.	Act 154 of 1996 provides for life insurance illustration requirements for life insurance policies. The statute sunsets when a life insurance illustration regulation becomes effective. A life insurance illustration regulation will eliminate misleading illustrations, make illustrations more understandable, and standardize terms and illustration formats for the entire life insurance industry. Further, it is more appropriate that technical requirements, such as these, appear in a regulation rather than in statutory form.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Cash Advances to Insurance Companies 31 Pa. Code, Chapter 105, §§ 105.1—105.2	Spring 2006, as proposed.	Review to determine whether to amend or repeal based on statutory amendments enacted in 2004 (Act No. 216 of 2004).	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Property and Casualty Actuarial Opinion, 31 Pa. Code, §§ 118a.1—118a.7 (NEW)	Winter/Spring 2006, as proposed.	New regulation to require property & casualty insurers to annually submit an Actuarial Opinion Summary of the Actuarial Report on loss and loss adjustment expense reserves, including information on the opining actuary's best estimate and/or range of reasonable estimates.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Preparation of Filing of Property and Casualty Forms for Approval, 31 Pa. Code, Chapter 133, §§ 133.1—133.12	Summer/Fall 2006, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Description of Reserves—Prohibited Phrases, 31 Pa. Code, Chapter 139, §§ 139.1—139.3	Spring/Summer 2006, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Unfair Insurance Practices; Unfair Claims Settlement Practices, 31 Pa. Code, Chapter 146, §§ 146.1—146.10	Spring/Summer 2006, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Requirements for Qualified Reinsurers 31 Pa. Code, Chapter 161 §§ 161.1—161.9	Spring 2006, as proposed.	Amend to update requirements for assets held in trust.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Health Care Provider Retention Program, 31 Pa. Code, Chapter 248, §§ 248.1—248.11 (NEW)	Winter/Spring 2006, as proposed.	Adopt regulations per the Medical Care Availability and Reduction of Error (Mcare) Act (40 P. S. §§ 1303.1101 et seq.)	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Viatical Regulations (NEW chapter)	Spring/Summer 2006, as proposed.	New regulation addressing issues pertaining to the Licensing of Viatical Brokers.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
LABOR AND INDUSTRY			
Repeal of mine and excavation regulations, Title 34, Chap. 33, Bureau of Occupational and Industrial Safety.	Submit final-omitted regulation in Spring 2006.	Will revoke Labor and Industry's authority to regulate mines and excavations. The Department of Environmental Protection now has this authority.	Edward Leister 717-787-3323
Boiler requirements, Title 34, Bureau of Occupational and Industrial Safety.	Publication as final-form regulation in Winter 2006.	The regulations will update requirements for boilers and unfired pressure vessels in accordance with the Boiler and Unfired Pressure Vessel Law.	Edward Leister 717-787-3323
Liquefied Petroleum Gas, Title 34, Bureau of Occupational and Industrial Safety.	Submit proposed rulemaking in Fall 2006.	Will enact the Propane and Liquefied Petroleum Gas Act passed in June 2002. Will govern the design, installation and construction of containers and equipment for storage and handling of liquefied petroleum gas, specify the odorization of the gases and establish guidelines for the processing and technologies that are not covered by industry standards.	Edward Leister 717-787-3323
Business Enterprise Program, Title 34, Bureau of Blindness and Visual Services	Submit proposed rulemaking in Summer 2006.	Concerns operation of snack bars and similar operations in Commonwealth facilities under the Federal Randolph-Sheppard Act and related Pennsylvania laws.	Pamela Shaw 717-783-3784
Office of Vocational and Rehabilitation, Title 34.	Submit Proposed Rulemaking Winter 2006	Regulations will govern the registration process and implement the Sign Language Interpreter and Transliterator Registration Act which was enacted in 2004. (Act 57 of 2004).	Catherine N. Wojciechowski 717-787-4186
Prevailing Wage Appeals Board (PWAB), Title 34, Chap 213.	Submit proposed rulemaking in Summer 2006.	PWAB will amend its regulations to reduce paperwork requirements and improve/streamline procedures.	Richard C. Lengler 717-783-9288
Unemployment Compensation, Title 34, Bureau of Unemployment Compensation Tax Services	Submit proposed rulemaking in Spring 2006.	Update Unemployment Compensation tax and select benefit regulations.	Scott Miedrich 717-787-2097
Unemployment Compensation, Title 34, Bureau of Unemployment Compensation Benefits	Submit proposed rulemaking in Spring 2006.	Update requirements and procedures for filing benefit and claim applications.	Jeri Morris 717-787-3667
Unemployment Compensation, Title 34, Chapter 101, Unemployment Compensation Board of Review	Submit proposed rulemaking in Spring 2006.	Update appeal and hearing procedures to reflect evolving procedures and statutory changes.	Edward Rawlings 717-787-1620

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Bureau of Workers' Compensation Title 34, Chapter 121	Submit final-form regulation Spring 2006.	Updating regulations concerning processing of claims forms/petitions to reflect changes in law and technology.	Thomas Dinsmore 717-772-0621
Bureau of Workers' Compensation, Title 34, Chapter 127, Medical Cost Containment	Submit proposed rulemaking by Spring 2006.	Update processes governing medical care and costs under the Workers' Compensation Act.	Eileen Wunsch 717-772-1912
Bureau of Workers' Compensation, Title 34, Chapter 123	Submit final-form regulation in Spring 2006.	Update procedures for qualifications of vocational experts to reflect passage of Act 88 (if needed).	Eileen Wunsch 717-772-1912
Bureau of Workers' Compensation, Title 34, Chapter 125A, Self-Insurance	Submit proposed rulemaking in Summer 2006.	Clarify standards and security requirements for individual self-insured employees.	George Knehr 717-783-4476
Bureau of Mediation, Title 34	Submit proposed rulemaking in Fall 2006	Specify procedures and process for Bureau mediators.	William D. Gross 717-787-2803
MILITARY AND VETERANS AFFAIRS			
State Veterans Home 43 Pa.Code Section 7.1 et. seq.	July 2006, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly. This regulation is a long-term project and would amend 43 Pa. Code Chapter 7.	Dennis T. Guise 717-861-8503
MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION			
Municipal Police Officers' Education and Training Commission. 37 Pa. Code Chapter 203	Proposed regulations were published October 15, 2005.	The Commission intends to update regulations promulgated pursuant to 53 Pa. C.S. § 2164(1), (8), and (14 (relating to Part III, Subpart C, of the Local Government Code).	Syndi L. Guido 717-772-0905
PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM			
No regulations being developed or considered at this time.			
PROBATION AND PAROLE			
The County Probation and Parole Officers Firearms Education and Training Law 61 P. S. § 332.5 (13) requires the Commission to "make rules and regulations and to perform other duties as may be reasonably necessary or appropriate to implement the training program for county probation and parole officers."	The proposed regulation will be published in the <i>Pennsylvania Bulletin</i> in the fall of 2006.	The County Probation and Parole Officers' Education and Training Commission is in the process of promulgating these regulations and anticipates the completion of proposed regulations by Fall 2006 for publication in the <i>Pennsylvania Bulletin</i> .	Henry L. Van Brederode 717-787-5699 x 389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
The Domestic and Sexual Violence Victim Address Confidentiality Act 23 Pa.C.S.A. § 6712 requires the Office of the Victim Advocate to promulgate regulations to establish an address confidentiality program to protect victims of sexual and domestic violence.	The proposed regulation will be published in the <i>Pennsylvania Bulletin</i> in the summer of 2006.	23 Pa. C.S.A. § 6712 (2) requires the Office of the Victim Advocate to promulgate the required regulations by July 1, 2006.	Victoria Sostack 717-783-5157
<i>PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM</i>			
No regulations being developed or considered at this time.			
<i>PUBLIC WELFARE</i>			
Administration of County Children and Youth Programs 55 Pa. Code Chapter 3130	June 2006, as proposed	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the federal regulations (effective March 27, 2000) for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include permanency hearings and the matters to be determined, requirements related to reasonable efforts including aggravated circumstances contrary to the welfare and best interests and redefining permanency goals for children.	Ruth O'Brien (717) 783-2800
Administration and Operation of a Children and Youth Social Services Agency 55 Pa. Code Chapter 3680	February 2007, as proposed	This regulation incorporates the changes identified in the Child and Family Services Review, including requirements for visitation with fathers and non-custodial parents and between siblings; concurrent planning; improving permanency outcomes for children; and preserving connections with family and community for children placed out of the home.	Ruth O'Brien (717) 783-2800
Food Stamp Disqualification Penalties 55 Pa. Code Chapter 501	June 2006, as proposed	This regulation incorporates a revision to the Food Stamp disqualification penalties as required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The revision increases the Food Stamp intentional program violation disqualification penalties from six months to one year for the first violation and from one year to two years for the second violation. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization and other client advocacy groups.	Ruth O'Brien (717) 783-2800
Family Violence Option 55 Pa. Code Chapter 187	February 2007, as proposed	This regulation codifies the provision in the TANF State Plan to screen and identify victims of domestic violence, refer those individuals to counseling and supportive services, establish service plans, provide universal notification and make appropriate referrals to social service agencies. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization and other client advocacy groups.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Increases in Payment for Burial and/or Cremation 55 Pa. Code Chapter 285	April 2006, as final-form	This regulation codifies an increase to the maximum payment for burial and/or cremation for eligible persons. A deceased person of any age who received or was eligible to receive a money payment—TANF, General Assistance, State Blind Pension, or Supplemental Security Income—may be eligible for a maximum burial and/or cremation payment of \$750, if there are no resources that reduce the payment. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization and other client advocacy groups.	Ruth O'Brien (717) 783-2800
Breast and Cervical Cancer Prevention and Treatment Program 55 Pa. Code Chapter 140	September 2006, as final-form	This regulation provides Medicaid benefits to individuals diagnosed with Breast and Cervical Cancer, effective January 1, 2002. The BCCPT Act of 2000 amended Title XIX of the Social Security Act by giving states the option of providing full Medicaid benefits to a new group of individuals. This regulation provides Medical Assistance for women who have breast and cervical cancer, including pre-cancerous conditions of the breast and cervix, in addition to full Medicaid benefits. Specifically, uninsured and underinsured women under the age of 65, screened and diagnosed with either breast or cervical cancer, including pre-cancerous conditions of the breast or cervix, by a provider or facility funded in full or part by the Centers for Disease Control and Prevention under its National Breast and Cervical Cancer Early Detection Program, will be eligible for Medicaid benefits. Pennsylvania has chosen the Department of Health Healthy Woman Project as the screening entity for this program. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, professional medical organizations and other client advocacy groups.	Ruth O'Brien (717) 783-2800
Medical Assistance Changes (MAC) 55 Pa. Code Chapters 133, 140, 141, 178 and 181	March 2006, as proposed	This regulation incorporates eligibility requirements for Temporary Assistance for Needy Families (TANF)-related, Supplemental Security Income (SSI)-related and General Assistance (GA)-related Medicaid. Some of the major changes include revisions to: 1) the application and redetermination process; 2) the qualification requirements and eligibility rules for Healthy Beginnings; 3) the income eligibility methodologies for TANF-related categories of Medicaid; 4) the income and resource requirements for the Medicaid Program; 5) Extended Medical Coverage to include provisions as set forth in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); 6) the GA-related Nonmoney Payment (NMP) and Medically Needy Only (MNO) eligibility criteria as set forth in Act 35; 7) the qualifying criteria for TANF-related categories to include a new eligibility group as set forth in § 1931 of the Social Security Act.	Ruth O'Brien (717) 783-2800
Early and Periodic Screening Diagnosis Treatment (EPSDT) 55 Pa. Code Chapters 1101, 1121, 1123, 1147, 1241	March 2007, as final-omitted	This regulation relating to services provided as a follow-up to an EPSDT visit or encounter that are not currently recognized under the approved Medical Assistance State Plan. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Medical Assistance Case Management Services 55 Pa. Code Chapter 1239	March 2007, as proposed	This regulation codifies payment for medically necessary case management services as mandated by Omnibus Budget Reconciliation Act '89 to Medical Assistance recipients under the age of 21. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
OMNIBUS Pharmacy 55 Pa. Code Chapters 1121, 1126, 1129, 1141, 1163, 1221, 1225, 1243	June 2006, as final-omitted	This final regulation codifies Act 1994-49 provisions that discontinue payment for all drugs, devices, products, services and procedures that are used or related to treating infertility, including surrogacy services, effective September 1, 1994. This regulation also provides that the medical assistance program provides drug coverage to medically needy only recipients receiving nursing facility services. This includes medically needy only recipients who reside in nursing facilities and intermediate care facilities/mental retardation (ICF/MR). This regulation was reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Residential Treatment Facilities (RTF) for Mental Health Services 55 Pa. Code Chapters 1157, 1165	July 2007, as proposed	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility. This regulation was reviewed by the Medical Assistance Advisory Committee on 3/28/02. The Department received comments from 6 agencies. Revised regulations are under review by the Department.	Ruth O'Brien (717) 783-2800
Physician Assistant/Midwife 55 Pa. Code Chapter 1141	June 2007, as final-omitted	This final regulation codifies revised supervision requirements for physician assistants and midwives. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Discontinuance of the Mandatory Second Opinion Program 55 Pa. Code Chapter 1150	June 2006, as final-omitted	This final regulation removes the mandatory second opinion program requirement for certain surgical procedures. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Capital Component Payment for Replacement Beds 55 Pa. Code Chapter 1187	February 2007, as proposed	This regulation codifies the policy as set forth in the Statement of Policy published at 27 Pa. B. 6238 (November 29, 1997). This regulation will specify the conditions under which the Department will recognize nursing facility beds as replacement beds for purposes of making capital component payments for those beds. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
New Definition of "Emergency Medical Condition" 55 Pa. Code Chapters 1101, 1141, 1150, 1221	June 2006, as proposed	This regulation codifies the revised definition of "emergency medical condition" contained in the Balanced Budget Act of 1997, effective July 1, 1998. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Definition of Medically Necessary 55 Pa. Code Chapter 1101	February 2007, as proposed	This proposed regulation replaces the current definition of "medically necessary" with the definition found in the HealthChoices Request for Proposal. This regulation was reviewed on 9/21/01 by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Tobacco Cessation and Nutritional Supplements 55 Pa. Code Chapter 1121	June 2006, as final-omitted	This final regulation will provide coverage under the Medical Assistance Program for tobacco cessation products and counseling services and will extend coverage for nutritional supplements to eligible Medical Assistance recipients 21 years of age and older. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Dental Services 55 Pa. Code Chapter 1149	June 2006, as final-omitted	This final regulation will provide coverage for crown core build-up and will revise the Medical Assistance Orthodontia Program. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Preadmission Requirements for Nursing Facility Services 55 Pa. Code Chapter 1187	July 2007, as final	This regulation will require nursing facilities to have all individuals applying for nursing facility services, evaluated by the Department or an independent assessor if it is likely that the applicant will use Medical Assistance as a payer source within 12 months of admission. The purpose of this regulation is to allow an individual to remain in the community by delaying or eliminating the need for admission to a nursing facility. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Penile Prosthesis 55 Pa. Code Chapters 1141, 1163,	February 2007, as proposed	This regulation revises the current § 1141.59(8) non-compensable services and § 1163.59(a)(4) noncompensable services, items and outliers days.	Ruth O'Brien (717) 783-2800
Extension of County Transition Payments and Double Disproportionate Share 55 Pa. Code Chapter 1187	July 2007, as final-omitted	This regulation will extend the county nursing facility transition rates for the period July 1, 2003, through June 30, 2009, and will increase the disproportionate share incentive payments to qualified nursing facilities for the period July 1, 2003 through June 30, 2008. The disproportionate share incentive payment shall be increased to equal two times the disproportionate share per diem incentive calculated in accordance with 55 Pa. Code § 1187.111(c). This regulation will be reviewed by the Medical Assistance Advisory Committee. These changes are made in accordance with the Intergovernmental Transfer Agreements.	Ruth O'Brien (717) 783-2800
Home Health Regulation 55 Pa. Code Chapter 1249	July 2006, as final-form	The proposed regulation: 1. removes the State requirement that clients be homebound to receive home health agency services. Requiring a client to be homebound is in violation of "Olmstead Update No. 3" codified at 42 CFR 440.230(c) and 440.240(b); 2. moves service limitations from the regulations to the fee schedule which will permit program exceptions to the limitations when appropriate.	Ruth O'Brien (717) 783-2800
Changes to Nursing Facility Rate Setting System 55 Pa. Code Chapter 1187	June 2006, as final-omitted	This regulation will support the balancing of long term care by encouraging the continued trend of having nursing facilities serve higher acuity MA recipients, encouraging right sized facilities and decreased reliance on MA payments. Further objectives of this regulation will be to provide greater predictability in rate setting, reduce the number of appeals and incorporate performance standards/incentives to encourage cost effective and high quality care in the most appropriate setting.	Ruth O'Brien (717) 783-2800
Medical Assistance Provider Appeal Procedures 55 Pa. Code Chapter 41	October 2006, as final-form	This regulation implements 67 Pa.C.S. 1106 and establishes rules of procedure governing Medical Assistance Provider appeals.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Third Party Liability Programs 55 Pa. Code Chapter 259	September 2006, as proposed	Section 1902(a)(25) of the Social Security Act (42 U.S.C. § 1396a(a)(25)) requires the Department to develop and implement a TPL program to ensure that Medicaid is the payor of last resort. Section 1906 of the Social Security Act (42 U.S.C. § 1396(e)) authorizes the Department to have a special program to enroll certain MA recipients into group health insurance. Both the general TPL program and the special group health insurance program have been in operation in Pennsylvania for a number of years. During this period of operation, questions have arisen as to interpretation and procedures under the Federal and state's statutes. This proposed regulation is needed to supply guidance with respect to issues not directly addressed by the Federal and state statutes, to resolve ambiguities and to fill gaps in the state statutory language.	Ruth O'Brien (717) 783-2800
Licensure and Approval Appeal Procedures 55 Pa. Code Various Chapters	February 2006, as proposed	This regulation replaces the uncodified regulation at 7 Pa.B. 3266 with the General Rules of Administrative Practice and Procedure (1 Pa. Code Chs. 31-35) for all facilities and agencies certified by the Department.	Ruth O'Brien (717) 783-2800
Psychiatric Outpatient Clinics 55 Pa. Code Chapter 5200	February 2007, as proposed	This proposed regulation revises the current regulations pertaining to organization, staffing, and supervision for licensed psychiatric outpatient services. This regulation will be reviewed by the Mental Health Advisory Council and the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Family-Based Mental Health Service Providers Draft Regulation, 55 Pa. Code Chapter 5260	February 2007, as proposed	This proposed regulation would establish requirements for the delivery of services, and payment of family-based mental health services for children and adolescents.	Ruth O'Brien (717) 783-2800
Child Care Providers 55 Pa. Code Chapters 3270, 3280, 3291, 3300	April 2006 as proposed	The purpose of the proposed rulemaking is to update the minimum standards for child care facilities. The regulations need to be updated to reference the current laws that directly impact on the operation of child care facilities, to incorporate the Department's statements of policy issued since 1992, to implement changes in recommended health and safety practices, to clarify regulations and to reflect best practice in the field of child care.	Ruth O'Brien (717) 783-2800
Child Care Subsidy 55 Pa. Code Chapter 168	April 2006 as proposed	The purpose of the proposed rulemaking is to align the Office of Income Maintenance and Office of Child Development policies regarding subsidized child care and increase child care services to families receiving Temporary Assistance for Needy Families, General Assistance, and Food Stamp benefits. The proposed amendments will simplify policies and create a more user-friendly system for families.	Ruth O'Brien (717) 783-2800
REVENUE			
Construction Contractors 61 Pa. Code, §§ 31.11—31.16 and 46.11—46.17	July 2006, as proposed	The regulation will provide an update to the rules regarding contracts with exempt and nonexempt entities following Act 45 of 1998. Department awaiting decision of the Pennsylvania Supreme Court.	Douglas Berguson 717-346-4633

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Construction Contractors 61 Pa. Code §§ 31.11, 46.2, 46.3, 46.6 and 46.9	December 2005, as proposed.	Administrative Clean Up of Chapter 46 Construction Contractors and Amendment to § 31.11 to avoid duplication of regulations.	Douglas Berguson 717-346-4633
Prebuilt Housing	March 2006, as final.	The regulation codifies legislative changes relating to prebuilt housing that were set forth in Act 23-2000 (72 P. S. §§ 7201(g)(8), (vv)—(zz), 7202(f) and 7204(60)).	Douglas Berguson 717-346-4633
Realty Transfer Tax Amendments 61 Pa. Code, Chapter 91	November 2005, as proposed.	The amendments to Chapter 91. Realty Transfer Tax, are made to address numerous legislative changes and to bring the regulatory provisions into conformity with Departmental policy.	Douglas Berguson 717-346-4633
Small Games of Chance Amendments 61 Pa. Code, Part VII	March 2006, as final.	The regulation contains comprehensive amendments to Part VII to incorporate legislative changes made to the Local Option Small Games of Chance Act (10 P. S. §§ 311—328) in 1990 and 2000 and to codify policy and administrative changes regarding games of chance.	Douglas Berguson 717-346-4633
Support Offset and Other Personal Income Tax Provisions	September 2006, as proposed	This regulatory change will amend certain regulatory provisions to provide for the intercept of income tax refunds from individuals who are delinquent in support payments and redirect the funds accordingly. Other amendments are proposed to update and/or clarify personal income tax provisions.	Douglas Berguson 717-346-4633
Pennsylvania Gaming Cash Flow Management 61 Pa. Code §§ 1001.1—1001.10	March 2006, as temporary	The Department is proposing temporary regulations for Chapter 1001, Pennsylvania Gaming Cash Flow Management in accordance with the Pennsylvania Race Horse Development and Gaming Act 2004 (Act 71).	Douglas Berguson 717-346-4633
Terminal-based Lottery Games 61 Pa. Code §§ 875.1—875.17	March 2006 as final	The regulation establishes and details the procedures that will be followed in operating and administering the Terminal-based Lottery Games.	Douglas Berguson 717-346-4633
Contract Carriers Exemption Certificate-Transfer of Registration § 31.46	July 2006 as proposed	This regulatory change will amend certain regulatory provisions for exemption from sales tax for transfer of registration to conform to Federal legislation.	Douglas Berguson 717-346-4633
Proof Required to Establish Credit § 111.5	January 2006 as final	This regulatory change will eliminate the need for a "signed" copy of an out-of-state tax return for proof required to establish credit.	Douglas Berguson 717-346-4633
SECURITIES COMMISSION			
Accountants 64 Pa. Code § 609.033	Proposed Rulemaking Spring 2006	The Commission plans to amend this regulation to update its provisions.	Michael J. Byrne (717) 783-5130 Stacie D. Gorman (717) 783-5130
STATE			
Bureau of Commissions, Elections and Legislation -Alteration of Local Election Districts- 4 Pa. Code § 184 (16-36)	Spring 2006, as Proposed.	The regulation would address the statutory requirements relating to local redistricting in Article V of the Election Code, 25 P. S. §§ 2701—2750. Statutory Authority: Section 2750 of the Election Code, 25 P. S. § 2570, which authorizes the Secretary of the Commonwealth to promulgate regulations relating to Election District Alteration and Data Reporting.	L. Lawrence Boyle (717) 783-1657

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Accountancy -General Revisions- 49 Pa. Code, Chapter 11. (16A-559)	Spring 2006, as Final.	The regulation would clarify certain issues related to the enforcement of the C.P.A. Law; make requirements consistent with the language of the C.P.A. Law; repeal outdated and unnecessary requirements; and make editorial changes. Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3.	Linda Dinger (717) 783-1404
State Architects Licensure Board -Architect Registration Examination Requirements - 49 Pa. Code § 9.45(b) (16A-419) -Schedule of Civil Penalties- 49 Pa. Code § 43b.21. (number not yet assigned)	Spring 2006, as Proposed. Spring 2006, as Proposed.	This regulation would adopt a 5-year "rolling clock" requirement that applicants pass all divisions of the Architect Registration Examination within a rolling 5-year period. Statutory Authority: Section 6(a) and (d) of the Architects Licensing Law, 63 P. S. § 34.6(a) and (d). This regulation would amend the schedule of Act 48 civil penalties for violations of the Architects Licensure Law and the Board's regulations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Linda Dinger (717) 783-3397
State Board of Auctioneer Examiners -Correction to Fee Schedule - 49 Pa. Code § 1.41 (16A-646)	Spring 2006, as Final (Proposed-Omitted).	This regulation would correct the fee schedule in which a line was inadvertently deleted when the schedule was last amended. Statutory Authority: Section 6(a) of the Auctioneer and Auction Licensing Act, 63 P. S. § 734.6(a).	Linda Dinger (717) 783-3397
State Board of Barber Examiners -Student Records and Student Curriculum- 49 Pa. Code, Chapter 3 (16A-427) -Schedule of Civil Penalties- 49 Pa. Code § 43b.4 (16-32)	Fall 2006, as Proposed Spring 2006, as Final.	The regulation would amend the current regulations to allow for part-time attendance at barber schools; to allow for transfer of hours between a barber shop and a barber school or between barber shops, regardless of whether the school or shop is in-state or out-of-state; to require shop owners and schools to submit a quarterly report of student hours to the Board; and to require a shop owner, or a shop owner's designee, to notify the Board of each student to be trained in the shop. Statutory Authority: Section 15-A.4(b) of the Barbers' License Law, 63 P. S. § 566.4(b). This regulation would amend the schedule of Act 48 civil penalties for violations of the Barbers' Licensing Law and the Board's regulations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Hilarene Staller (717) 783-3402
State Board of Certified Real Estate Appraisers -General Revisions- 49 Pa. Code, Chapter 36. (16A-7014)	Spring 2006, as Proposed.	The regulation represents a comprehensive revision of requirements relating to education and experience for initial certification, continuing education for renewal of certification, standards of practice, and supervision of appraisal assistants. Statutory Authority: Section 5(2) of the Real Estate Appraisers Certification Act, 63 P. S. § 457.5(2); and Section 3 of the Assessors Certification Act, 63 P. S. § 458.3.	Michelle Smey (717) 783-4866

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Chiropractic -Chiropractic specialties- 49 Pa. Code Ch. 5 (16A-4312)</p> <p>-Patient records- 49 Pa. Code § 5.51 (16A-4313)</p> <p>-Volunteer license- 49 Pa. Code § 5.20 (number not yet assigned)</p>	<p>Spring 2006, as Proposed.</p> <p>Spring 2006, as Proposed.</p> <p>Summer 2006, as Proposed.</p>	<p>The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. The regulation would identify the certifications acceptable to the Board. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).</p> <p>The regulation would clarify the requirements for patient records. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).</p> <p>This regulation is required to conform the regulations to the amendments to the Volunteer Health Services Act under Act 58 of 2002. Statutory Authority: Section 302 of the Chiropractic Practice Act, 63 P. S. § 625.302.</p>	Deborah Smith (717) 783-7155
<p>Commissioner, BPOA</p> <p>-Schedule of Civil Penalties- 49 Pa. Code §§ 43b.4, 43b.8 and 43b.9 (16-32)</p>	Spring 2006, as Final.	The regulation would amend the schedules of civil penalties for the State Board of Barber Examiners; State Real Estate Commission and State Board of Vehicle Manufacturers, Dealers and Salespersons that were previously codified as regulations under Act 48 of 1993. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Cynthia K. Montgomery (717) 783-7200
<p>Corporations Bureau</p> <p>-UCC Revised Article 9- (16-35)</p>	Fall 2006, as Proposed.	This regulation would adopt (with some revisions) the Model rules promulgated by the International Association of Corporate Administrators, which call for the delivery of filings by electronic means and acceptance of credit card payments. Statutory Authority: Section 9526 of the Uniform Commercial Code Modernization Act of 2001, 13 Pa.C.S. § 9526.	Martha Brown (717) 787-6802
<p>State Board of Cosmetology</p> <p>-Accreditation of cosmetology schools- 49 Pa. Code §§ 7.111 and 7.113a (16A-4511)</p> <p>-Removal of term "manager" - 49 Pa. Code, Chapter 7 (16A-4513)</p>	<p>Spring 2006, as Proposed.</p> <p>Spring 2006, as Proposed.</p>	<p>This regulation amends the Board's existing regulations to clarify the accreditation requirements for cosmetology schools. Statutory Authority: Sections 6 and 11 of the Beauty Culture Law, 63 P. S. §§ 512 and 517.</p> <p>This regulation amends Chapter 7 to delete all references to the manager's license, which was eliminated by Act 98 of 2002. Statutory Authority: Section 11 of the Beauty Culture Law, 63 P. S. § 517.</p>	Hilarene Staller (717) 783-7130
<p>State Board of Dentistry</p> <p>-Expanded Function Dental Assistants' Curriculum Requirements- 49 Pa. Code, Chapter 33 (16A-4616)</p> <p>-Administration of Local Anesthesia by Dental Hygienists - 49 Pa. Code, Chapter 33 (16A-4617)</p>	<p>Summer 2006, as Proposed.</p> <p>Spring 2006, as Proposed.</p>	<p>This regulation is intended to establish curriculum requirements for schools offering education programs for expanded function dental assistants. Statutory Authority: Section 3(a) of the Dental Law, 63 P. S. § 122(a).</p> <p>This regulation will establish the requirements under which a dental hygienist may be permitted to administer local anesthesia under the direct supervision of a dentist. Statutory Authority: Section 3(d) of the Dental Law, 63 P. S. § 122(d).</p>	Lisa Burns (717) 783-7162

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Sexual Misconduct - 49 Pa. Code, Chapter 33 (16A-4618) - Dental Hygiene Scope of Practice - 49 Pa. Code § 33.205. (16A-4619) -Volunteer license- 49 Pa. Code § 33.110 (number not yet assigned)	Spring 2006, as Proposed. Spring 2006, as Proposed. Summer 2006, as Proposed.	This regulation will define sexual misconduct as it pertains to dentists, dental hygienists and expanded function dental assistants. Statutory Authority: Sections 3(c), (d) (d.1) and (o) of the Dental Law, 63 P. S. § 122(c), (d), (d.1) and (o). This regulation is intended to update and amend the scope of practice of dental hygienists to conform to modern dental practices. Statutory Authority: Section 3(d) of the Dental Law, 63 P. S. § 122(d). This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	
State Board of Funeral Directors -Professional Misconduct- 49 Pa. Code §§ 13.201, 13.202. (16A-4814) -General Revisions- 49 Pa. Code , Chap. 13 (number not yet assigned) -Forms Review- 49 Pa. Code §§ 13.204 and 13.244 (16A-4813) -Preneed Funeral Arrangements- 49 Pa. Code, Chapter 13 (16A-4815)	Spring 2006, as Final. Spring 2006, as Proposed. Spring 2006, as Proposed. Spring 2006, as Proposed	The amendment would add to the Board's standards of practice and conduct. Statutory Authority: Section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a). These amendments would update the Board's regulations related to advertising, application procedures, facility requirements, qualifications for licensure and responsibilities of supervisors. Statutory authority: Section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a). This proposed regulation would clarify the criteria by which the Board will review form statements of funeral goods and services and preneed contracts and add grounds for the Board to disapprove forms. Statutory Authority: Section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a). This regulation would clarify and add additional requirements for funeral directors who enter into preneed funeral arrangement agreements. Statutory Authority: Sections 13(c) and 16(a) of the Funeral Director Law, 63 P. S. §§ 479.13(c) and 479.16(a).	Michelle Smey (717) 783-3397
State Board of Landscape Architects - General Revisions - 49 Pa. Code, Chapter 15. (16A-618)	Spring 2006, as Final.	The regulation would entail general revisions of the Board's current regulations. Statutory Authority: Section 4(9) of the Landscape Architects' Registration Law, 63 P. S. § 904(9).	Terrie Kocher (717) 772-8528
State Board of Medicine -Athletic Trainers- 49 Pa. Code, Chap. 16 (16A-4915) -Acupuncture Registration - 49 Pa. Code, Chapter 18, §§ 18.11-18.19 (16A-4919) -Physician Assistants- 49 Pa. Code, Chapter 18, Subchapter D (16A-4916)	Spring 2006, as Proposed Spring 2006, as Final. Fall 2006, as Final.	This regulation would implement Act 92 of 2001, which gave the Medical and Osteopathic Boards jurisdiction over athletic trainers (athletic trainers had formerly been overseen by the State Board of Physical Therapy). Statutory Authority: Section 3 of Act 92 of 2001. This proposed regulation will amend the Board's existing regulations so that they comport with the Act 49 amendments to the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803. This regulation amends the Board's regulations pertaining to physician assistants. Statutory Authority: Section 13 of the Medical Practice Act of 1985, 63 P. S. § 422.1.	Tammy Radel (717) 783-1400

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Respiratory Care Practitioners Continuing Education - 49 Pa. Code, Chapter 18, Subchapter F. (16A-4921)	Fall 2006, as Final.	This regulation is needed to carry out the legislative mandate of Act 55 of 2004 which required certified respiratory care practitioners to complete 20 credits of continuing education each biennium as a condition of certificate renewal. Statutory Authority: Section 1 of Act 55 of 2004 and section 36.1(f) of the Medical Practice Act of 1985, 63 P. S. § 422.36a(f).	
-Volunteer License- 49 Pa. Code § 16.18 (number not yet assigned)	Summer 2006, as Proposed.	This regulation is required to amend the current regulations regarding volunteer licenses to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	
State Board of Nursing -CRNP Program Approval- 49 Pa. Code §§ 21.260—278, 286-289. (16A-5119)	Spring 2006, as Final.	This regulation would establish requirements for CRNP education programs approved by the Board. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	Ann Steffanic (717) 783-7142
-Licensed Dietitian-Nutritionist Regulations- 49 Pa. Code §§ 21.701—21.717 (16A-5120)	Spring 2006, as Final.	Act 99 of 2002 amended the Professional Nursing Law to include the licensure of dietitian-nutritionists. These regulations implement those amendments. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
-Temporary Practice Permits- 49 Pa. Code §§ 21.7 and 21.149 (16A-5121)	Spring 2006, as Final.	The regulation provides for temporary practice permits for graduate professional nurses and graduate practical nurses and for currently-licensed professional nurses and practical nurses practicing in other jurisdictions who apply for licensure in this Commonwealth. Statutory Authority: Sections 2.1(k) and 4.1 of the Professional Nursing Law, 63 P. S. §§ 212.1(k) and 214.1; and sections 3.1 and 17.6 of the Practical Nurse Law, 63 P. S. §§ 653.1 and 667.6.	
-LPN/IV Therapy- 49 Pa. Code § 21.145 (16A-5122)	Spring 2006, as Proposed	This regulation addresses the LPN's role in working with peripherally inserted central catheters (PICC lines). Statutory Authority: Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	
-RN and LPN Program Examination Pass Rates- 49 Pa. Code, Chapter 21 (16A-5123)	Spring 2006, as Proposed.	This regulation will clarify the procedure for removing a nursing education program from the approved list and further establish standards for placing a nursing education program on provisional approval or removing the program from the approved list based on the failure rate for first-time examinees on the licensure examination. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k), and section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	
-CRNP General Revisions- 49 Pa. Code, Chapter 21, Subchapter C (16A-5124)	Spring 2006, as Proposed.	This regulation is required to implement Act 206 of 2002, which gave exclusive jurisdiction over CRNPs to the State Board of Nursing and to revise the existing regulations to allow the effective use of CRNPs to the full extent of their education and training. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k), and section 7(c) of Act 306 of 2002, P. L. 1567, No. 206, December 9, 2002.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Fees for Approval of Nursing Education Programs- 49 Pa. Code, Chapter 21 (16A-5127)	Fall 2006, as Final.	This regulation updates the fees charged by the Board of the approval of nursing education programs at the professional nurse, licensed practical nurse, and certified registered nurse practitioner levels to reflect the current cost of providing these services. Statutory Authority: Section 11.2 of the Professional Nurse Law, 63 P. S. § 221.2, and section 17.5 of the Practical Nurse Law, 63 P. S. § 667.5.	
-Fees for CRNP Continuing Education Course Approval- 49 Pa. Code, Chapter 21	Spring 2006, as Proposed.	This regulation would establish a fee for the approval of CRNP continuing education courses. Statutory Authority: Sections 8.1(c) and 11.2(a) and (d) of the Professional Nursing Law, 63 P. S. §§ 218.1(c), 221.2(a) and (d).	
-Volunteer License- 49 Pa. Code, Chapter 21, Subchapter F, §§ 21.601—21.607. (number not yet assigned)	Summer 2006, as Proposed.	This regulation is required to amend the regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
State Board of Examiners of Nursing Home Administrators -Requirements for Admission to Examination- 49 Pa. Code § 39.5. (16A-627) -Biennial Renewal Fees- 49 Pa. Code § 39.72 (16A-6210)	Spring 2006, as Proposed. Fall 2006, as Final.	This regulation would update and revise the requirements for admission to the licensing examination. Statutory Authority: Section 4(c) of the Nursing Home Administrators Licensing Act, 63 P. S. § 1104(c). The regulation increases the biennial renewal fee for all nursing home administrators from \$108 to \$297. Statutory authority: Section 7.1(a) of the Nursing Home Administrators License Act, 63 P. S. § 1107.1(a).	Christina Stuckey (717) 783-7155
State Board of Occupational Therapy Education and Licensure -Orders- 49 Pa. Code § 42.25 (16A-676)	Spring 2006, as Proposed.	This regulation would permit an occupational therapist to accept an order from a physician, podiatrist, optometrist or other practitioner authorized by law or facility policy to issue orders for medical and therapeutic measures; and to authorize an occupational therapist to receive an oral order when it is impracticable to receive a written order. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	Christina Stuckey (717) 783-1389
State Board of Optometry -Volunteer License- 49 Pa. Code § 23.26 (number not yet assigned)	Summer 2006, as Proposed.	This regulation is required to amend the Board's regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14).	Deborah Smith (717) 783-7155
State Board of Osteopathic Medicine -Athletic Trainers- 49 Pa. Code, Chap. 16 (16A-5314) -Deletion of Exam Fees- 49 Pa. Code §§ 25.223 and 25.231 (16A-5315)	Spring 2006, as Proposed Spring 2006, as Final.	This regulation would implement Act 92 of 2001, which gave the Medical and Osteopathic Boards jurisdiction over athletic trainers (athletic trainers had formerly been overseen by the State Board of Physical Therapy). Statutory Authority: Section 3 of Act 92 of 2001. This regulation deletes references to examination fees from the Board's regulations because the national examiners set the fees rather than the Board. Statutory Authority: Section 13.1 of the Osteopathic Medical Practice Act, 63 P. S. § 271.13a.	Gina Bittner (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Respiratory Care Practitioners- 49 Pa. Code, Chapter 25 (16A-5317)	Fall 2006, as Final	This proposed regulation will amend the Board's regulations by including continuing education requirements for respiratory therapists. Statutory Authority: Section 10.2(f) of the Osteopathic Medical Practice Act, 63 P. S. § 271.10b(f).	
-Volunteer License- 49 Pa. Code, Chapter 25, Subchapter L, §§ 25.601-25.607. (number not yet assigned)	Summer 2006, as Proposed.	This regulation is required to amend the Board's regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 16 of the Osteopathic Medicine Act, 63 P. S. § 271.16.	
State Board of Pharmacy -Technology and Automation- 49 Pa. Code, Chapter 27. (16A-5410)	Spring 2006, as Final.	The proposal would address issues raised by new technology now available in the field of pharmacy to allow the use of such technology while ensuring consumer safety. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1), (9).	Melanie Zimmerman (717) 783-7156
-Drug Therapy and Administration of Injectable Medications, Biologicals and Immunizations- 49 Pa. Code, Chapter 27 (16A-5412)	Spring 2006, as Final.	Section 2 of Act 102 of 2002 requires the Board to adopt regulations establishing the parameters of written agreements or protocols for drug therapy management in institutional settings and to establish education and training standards and practice guidelines under which pharmacists may be authorized to administer injectable medications, biologicals, and immunizations to persons who are more than eighteen years of age. Statutory Authority: Sections 9.1 and 9.2 of the Pharmacy Act, 63 P. S. §§ 390-9.1 and 390-9.2.	
-Supplies and Equipment- 49 Pa. Code, Chapter 27 (16A-5415)	Spring 2006, as Proposed.	The regulation would amend existing regulations pertaining to supplies and equipment to eliminate a specific list of supplies and allow pharmacies to keep on hand supplies specific to the pharmacy's area of practice. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1) and (9).	
-General Revisions- 49 Pa. Code, Chapter 27 (16A-5416)	Spring 2006, as Proposed.	The proposed regulation would update the regulations of the Board to delete outdated portions and amend sections to recognize current pharmacy practice. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1) and (9).	
-Continuing Education- 49 Pa. Code § 27.32 (16A-5417)	Spring 2006, as Proposed.	The proposed regulation would clarify the Board's continuing education requirements. Statutory Authority: Section 3.1 of the Pharmacy Act, 63 P. S. § 390-3.1.	
-Syringes and Needles- 49 Pa. Code, Chapter 27 (16A-5418).	Spring 2006, as Proposed.	The regulation would amend existing regulations requiring a prescription for dispensing needles and syringes in a pharmacy. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1) and (9).	
State Board of Podiatry -Licensure Applications- 49 Pa. Code, Chapter 29, §§ 29.52—29.54 (16A-447)	Spring 2006, as Final.	This regulation would amend the current regulations to eliminate references to the Health Care Services Act and replaces them with references to the Medical Care Availability and Reduction of Error (Mcare) Act. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	Gina Bittner (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Sexual Misconduct- 49 Pa. Code, Chapter 29 (16A-448)	Spring 2006, as Final.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts of a sexual nature which the Board deems unprofessional when occurring or resulting form a professional relationship. Statutory Authority: Sections 15 and 16(3) of the Podiatry Practice Act, 63 P. S. §§ 42.15 and 42.16(3).	
-Certificate of Authority to Perform Acupuncture- 49 Pa. Code, Chapter 29 (16A-449)	Spring 2006, as Proposed.	This regulation is required to establish the fees and regulate the practice of acupuncturists under the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803.	
-Volunteer License- 49 Pa. Code § 29.55 (number not yet assigned)	Summer 2006, as Proposed.	This regulation is required to amend the Board's regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	
State Board of Psychology -Education Requirements- 49 Pa. Code § 41.31 (16A-6313)	Spring 2006, as Final.	This regulation would require all doctoral degree programs in psychology and fields related to psychology within North American and the U.S. territories to either be accredited by the APA/CPA or designated by ASPPB. Statutory Authority: Sections 3.2(1) and 6(a)(2) of the Professional Psychologists Practice Act, 63 P. S. §§ 1203.2(1) and 1206(a)(2).	Christina Stuckey (717) 783-7155
-Qualifications- 49 Pa. Code, Chapter 41 (16A-6315)	Spring 2006, as Proposed.	This regulation amends education, experience and examination requirements as well as creates new and amends existing supervisor requirements. Statutory Authority: Sections 3.2(1) and (2) of the Professional Psychologists Practice Act, 63 P. S. §§ 1203.2(1) and (2).	
-Electronic Transfer of Continuing Education Rosters- 49 Pa. Code § 41.59 (16A-6317)	Spring 2006, as Proposed.	This regulation would require continuing education sponsors to electronically transfer continuing education rosters to the Board. Statutory Authority: Section 15 of the Professional Psychologists Practice Act, 63 P. S. § 1215.	
-Code of Ethics- 49 Pa. Code § 41.61 (16A-6318)	Spring 2006, as Proposed	The regulation would update the Board's Code of Ethics so that it would be in line with changes to the American Psychological Association and the Association of State and Provincial Psychology Boards. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	
State Real Estate Commission -Seller's Property Disclosure Statement - 49 Pa. Code § 33.335a (16A-5611)	Spring 2006, as Final (with Proposed omitted)	This regulation adopts a form "seller's property disclosure statement" as required by Act 114 of 2000. Statutory Authority: Section 7304(a) of the Residential Real Estate Transfers Law, 63 P. S. § 7304(a).	Deborah Misheck (717) 783-3658
-Education- 49 Pa. Code § 35.384, 35.385. (16A-5613)	Summer 2006, as Proposed.	The Proposed Regulation would require new licensees to complete a mandatory 14-hour post-licensure course in lieu of their continuing education. Statutory Authority: Sections 404 and 404.1 of the Real Estate Licensing and Registration Act, 63 P. S. §§ 455.404 and 455.404a.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Disclosure Summary (Consumer Notice)- 49 Pa. Code § 35.336 (16A-5614)	Spring 2006, as Proposed.	This regulation would shorten and simplify the Consumer Notice mandated by section 608 of the Real Estate Licensing and Registration Act. Statutory Authority: 63 P. S. § 455.608.	
-Schedule of Civil Penalties- 49 Pa. Code § 43b.8 (16-32)	Spring 2006, as Final.	This regulation would amend the existing Act 48 Schedule of Civil Penalties formerly promulgated by the Real Estate Commission in 1998. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors			Sandra Matter (717) 783-1389
-Continuing Education- 49 Pa. Code, Chapter 47 (16A-6912)	Spring 2006, as Final.	This regulation would require that licensees complete continuing education as a condition of license renewal. Statutory Authority: Sections 18(a) 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. §§ 1918(a) and 1906(2).	
-Sexual Misconduct- 49 Pa. Code §§ 50.20-50.25. (16A-691)	Spring 2006, as Final.	This regulation defines the professional relationship and prohibits sexual intimacies between a client/patient and the social worker, clinical social worker, marriage and family therapist or professional counselor. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	
-Supervised Clinical Experience- 49 Pa. Code, §§ 47.12c, 48.13 and 49.13. (16A-698)	Spring 2006, as Final.	This regulation permits supervised clinical experience to include group supervisory sessions within educational, institutional and agency settings without the requirement that the supervisor supervise no more than six individuals at the same time. Statutory Authority: Sections 6(2) and 7 of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. §§ 1906(2) and 1907.	
-Technical Amendments- 49 Pa. Code §§ 47.1 and 47.1a. (16A-699)	Fall 2006, as Final.	This regulation clarifies the definition of "accredited school" and deletes the requirement that supervisors of clinical social work applicants for licensure hold a license to practice social work in this Commonwealth so long as they are currently licensed to practice social work in any jurisdiction. Statutory Authority: Section 6 of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906.	
-Child Abuse Reporting Requirements- 49 Pa. Code, Chapters 48 and 49 (16A-6910)	Fall 2006, as Final.	This regulation would extend the mandatory reporting requirements of the Child Protective Services Law (CPSL) to marriage and family therapists and professional counselors. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2) and Section 6383 of the CPSL, 23 Pa.C.S. § 6383.	
-Standards of Professional Conduct- 49 Pa. Code, Chapters 47, 48 and 49 (16A-6911)	Spring 2006, as Proposed.	The regulation would establish a code of ethics and standards of professional conduct for social workers, clinical social workers, marriage and family therapists, and professional counselors licensed by the board. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Examiners in Speech-Language and Hearing -Continuing Education- 49 Pa. Code, Chapter 45. (16A-6802)</p> <p>-Assistant Regulations- 49 Pa. Code §§ 45.301-308. (16A-6801)</p> <p>-Standards of Practice and Conduct- 49 Pa. Code § 45.103 (number not yet assigned)</p>	<p>Spring 2006, as Final.</p> <p>Spring 2006, as Proposed.</p> <p>Spring 2006, as Proposed.</p>	<p>This regulation would establish continuing education requirements to comply with Act 71 of 2000. Statutory Authority: Section 5(7) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(7).</p> <p>This amendment would update the regulatory provisions pertaining to assistants. Statutory Authority: Section 5(8) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(8).</p> <p>This regulation would provide the Board with an enforcement mechanism to compel a mental or physical exam where there is probable cause to believe a licensee is unable to practice with reasonable skill and safety because of illness, drunkenness, excessive use of controlled substances, chemicals or other materials or as a result of a physical or mental condition. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).</p>	Sandra Matter (717) 783-1389
<p>State Board of Vehicle Manufacturers, Dealers and Salespersons -Act 48 of 1993 Civil Penalties- 49 Pa. Code, Chapter 43b. (16-32)</p>	Spring 2006, as Final.	This regulation would amend the schedule of Act 48 of 1993 civil penalties for violations of the Board of Vehicles Act and the Board's regulations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Teresa Woodall (717) 783-1697
<p>State Board of Veterinary Medicine -Certified Veterinary Technician Specialties- 49 Pa. Code § 31.38. (16A-5716)</p> <p>-Biennial Renewal Fees- 49 Pa. Code § 31.41 (16A-5717)</p> <p>-Veterinary Dentistry- 49 Pa. Code, Chapter 31 (16A-5718)</p> <p>-Record Keeping- 49 Pa. Code, Chapter 31 (16A-5719)</p> <p>-Facilities- 49 Pa. Code, Chapter 31 (16A-5720)</p>	<p>Spring 2006, as Proposed.</p> <p>Spring 2006, as Proposed</p> <p>Summer 2006, as Proposed.</p> <p>Summer 2006, as Proposed.</p> <p>Fall 2006, as Proposed.</p>	<p>This regulation would provide that only an individual certified by a veterinary technology academy recognized by the National Association of Veterinary Technicians may hold himself or herself out as a specialist. Statutory Authority: Section 11 of the Veterinary Medicine Practice Act, 63 P. S. § 485.11.</p> <p>This Proposed Regulation would increase the biennial license renewal fee for veterinarians from \$225 to \$300, and would increase the biennial renewal fee for certified veterinary technicians from \$60 to \$75. Statutory Authority: Section 13(a) of the Veterinary Medicine Practice Act, 63 P. S. § 485.13(a).</p> <p>This regulation would address issues relating to veterinary dentistry. Statutory Authority: Section 5 of the Veterinary Medicine Practice Act, 63 P. S. § 485.5.</p> <p>This regulation would establish standards for veterinary medical records. Statutory Authority: Section 5 of the Veterinary Medicine Practice Act, 63 P. S. § 485.5.</p> <p>This regulation would establish standards for veterinary facilities and require registration of veterinary facilities. Statutory Authority: Sections 5 and 27 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.27.</p>	J. Robert Kline (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
-Professional Conduct - 49 Pa. Code, Chapter 31 (16A-5721)	Summer 2006, as Proposed	This regulation would clarify the types of conduct that constitutes unprofessional conduct which may lead to disciplinary action under section 21(1) of the Veterinary Medicine Practice Act. Statutory Authority: Sections 5 and 21 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.21.	
STATE EMPLOYEES' RETIREMENT SYSTEM			
4 Pa. Code § 250.2. Time to appeal. (This proposed regulation will supercede that portion of 1 Pa. Code § 35.35 pertaining to the 10-day period of time to appeal from delegated actions of subordinate officers and substitute a 30-day period of time to file an appeal.)	Spring 2006	Current hearing regulations are inconsistent with operational practice supporting member-friendly service.	Paul Stahlnecker, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code §§ 250.1 and 250.15. Applicability of general rules. (These current regulations will be modified to permit the application of proposed 4 Pa. Code § 250.2.)	Spring 2006	Specific provisions in SERS' regulations should be exceptions to the general rules of administrative practice and procedure.	Paul Stahlnecker, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 247.11 Priority of taxation, attachments and assignments of funds. (This proposed regulation will clarify the priority of payments to be made from the members' accounts by SERS pursuant to 71 Pa. C.S. § 5953.)	Summer/Fall 2006	The statute does not set priorities among conflicting demands on members' accounts. A recent court decision has offered partial guidance in this area. A regulation would enable consistent application of the statute and would reduce litigation of priority issues.	Brian McDonough, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 247.7(c). Priority of death benefit payment. (This proposed regulation will clarify the priority of death benefit payments to be made by SERS pursuant to the second sentence of 71 Pa.C.S. § 5905(g).)	Summer/Fall 2006	The statute does not set priorities among conflicting demands on members' death benefits. A regulation would enable consistent application of the statute and would reduce litigation of priority issues.	Paul Stahlnecker, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
4 Pa. Code § 241.1. Preliminary Provisions. (This proposed regulation will delete the definition of the phrase "class of service multiplier" from the definitional section of the regulations.)	Authorized by the State Employees' Retirement Board at their June 1, 2005 meeting. SERS is currently drafting a response to IRRC's comments on the regulation and preparing the regulation for final-form presentation.	The definition to be repealed is outmoded and does not apply to the benefit formula currently in use.	Salvatore Darigo, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657
4 Pa. Code § 243.8. Membership, Credited Service, and Eligibility for Benefits. (This proposed regulation will delete the classes of service which were closed to new members on March 1, 1974)	Authorized by the State Employees' Retirement Board at their June 1, 2005 meeting. SERS is currently drafting a response to IRRC's comments on the regulation and preparing the regulation for final-form presentation.	The regulation has been rendered obsolete by changes to SERS' enabling legislation and benefit formula.	Salvatore Darigo, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657
4 Pa. Code § 249.2 Preliminary Provisions. (This proposed regulation will delete the portion of this regulation dealing with public inspection of certain records of the State Employees' Retirement Board.)	Authorized by the State Employees' Retirement Board at their June 1, 2005 meeting. SERS is currently preparing the regulation for final-form presentation.	The regulation is outmoded, unenforceable and is unnecessary due to the Right-To-Know Law.	Salvatore Darigo, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657
STATE POLICE			
Interception, maintenance, and destruction of Mobile Video Recordings 37 Pa. Code Chapter 50	January 2007, as proposed.	Act 53 of 2002 requires the State Police Commissioner, in consultation with the Attorney General, to promulgate these regulations. 18 Pa.C.S. §§ 5704(16), 5749	Syndi L. Guido Policy Director 717-772-0905
DNA Detection of Sexual and Violent Offenders. 37 Pa. Code Chapter 58	June 2006, as proposed	Act 185 of 2004 repealed Chapter 47 of Title 42 of the Pennsylvania Consolidated Statutes and amended Title 44 to add Chapter 23, DNA Data and Testing. The act requires the State Police to promulgate rules and regulations to carry out its provisions.	Syndi L. Guido Policy Director 717-772-0905

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of Megan's Law—Neighbor Notification 37 Pa. Code Chapter 55	June 2006, as proposed	Act 18 of 2000, known as Megan's Law, provides for the registration of sexual offenders and community notification for sexually violent predators. The act requires the Department to promulgate guidelines for the general administration of the act in consultation with the Department of Corrections, the Office of Attorney General, the Pennsylvania Board of Probation and Parole, and the chairmen and minority chairmen of the Senate and House Judiciary Committees. The act also requires the Department to write regulations regarding neighbor notification of sexually violent predators' residence, school, or employer. See 42 Pa. C.S. § 9799.1 Although the requisite guidelines and regulations have been promulgated, the Department is in the process of updating them in light of Act 152 of 2004, which made substantive amendments to Megan's Law.	Syndi L. Guido Policy Director 717-772-0905
STATE SYSTEM OF HIGHER EDUCATION			
No regulations being developed or considered at this date.			
TRANSPORTATION			
177 - Emission Inspection 67 Pa. Code, Chapter 177	September 2006	This regulation must be retained to stay in compliance with clean-air goals. Due to various Vehicle Code amendments and other desired changes, amendments to the regulations are required in the areas of: inspection station signage.	John Munafo 717-787-2171
43 - Temporary Registration Cards and Plates 67 Pa. Code, Chapter 43	September 2006	Act 152 of 2002 enacted legislation (requiring contracts for all messenger and agent services) that supercedes several facets of this regulation. Based on the legislation, any reference to bond, hearings, written warnings, suspensions, revocations or fines will be removed from the regulation, as these items are now addressed in the required contracts.	Andy Cleaver 717-787-2171
175 - Vehicle Equipment and Inspection 67 Pa. Code, Chapter 175	September 2006	Several changes in law currently supercede some facets of this regulation. Due to various Vehicle Code amendments and other desired changes, amendments to the regulations are required in the areas of: hours of inspection station operation, the coordination of inspection and registration, street rod equipment requirements, refunds for unused stickers and definitions.	John Munafo 717-787-2171
75 - Driver's License Exam 67 Pa. Code, Chapter 75	March 2006	The regulation is being revised to allow chiropractors to complete the learner's permit physical. HB1912, Act 76, passed July 15, 2004, requires us to allow chiropractors to complete this physical.	Anne Titler 717-783-4737
21 - Odometer Read Disclosure Statements 67 Pa. Code, Chapter 21	September 2006	Changes are needed to bring the regulation current with the Vehicle Code, to specify the age at which a vehicle becomes exempt from odometer disclosure.	Andy Cleaver 717-787-2171
23 - Delivery of Certificates of Title 67 Pa. Code, Chapter 23	September 2006	The method of title delivery has changed due to the electronic lien and title program (75 Pa.C.S, Section 1151). This Chapter needs to be updated to reflect the ability to transmit titles with liens electronically, rather than by mail.	Andy Cleaver 717-787-2171
13 - Special Mobile Equipment 67 Pa. Code, Chapter 13	September 2006	Act 211 of 2004, which took affect January 29, 2005, changed the vehicle code definition of special mobile equipment. The regulation needs revised to align with that definition change.	Andy Cleaver 717-787-2171

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
17 - Authorization to Verify ID Numbers 67 Pa. code, Chapter 17	September 2006	Changes needed to document the Vehicle Identification Number (VIN) verification process. The VIN verification process is not currently documented in either the Vehicle Code or in regulations.	Andy Cleaver 717-787-2171
51 - Transfer, Exchange & Reclassification of Registration 67 Pa. Code, Chapter 51	September 2006	An amendment is needed to eliminate the actual transfer fee dollar amount reference in the regulation, and replace with a reference to Section 1927 of the Vehicle Code where the fee is already listed. This will eliminate regulatory changes, if the fee amount changes in the Vehicle Code.	Phil VanBriggle 717-787-2171
71 - School Bus Drivers 67 Pa. Code, Chapter 71	March 2006	The regulation needs to be revised to allow chiropractors to complete the school bus driver physical. HB1912, Act 76, passed July 15, 2004, requires us to allow chiropractors to complete this physical.	Chris Miller 717-346-9479
221 - Obligations of Insurer and Vehicle Owner Pa. Code, Chapter 221	December 2006	This regulation should be updated to reflect the changes being proposed for more use of electronic reporting of insurance cancellation information by insurers.	Phil VanBriggle 717-787-2171
255 - Messenger Services 67 Pa. Code, Chapter 255	September 2006	Act 152 of 2002 enacted legislation (requiring contracts for all messenger and agent services) that supercedes several facets of this regulation. Based on the legislation, any reference to bond, hearings, written warnings, suspensions, revocations, or fines will be removed from the regulation as these items are now addressed in the required contracts.	Andy Cleaver 717-787-2171
471 - Aviation 67 Pa. Code, Chapter 471	August 2006	This regulation is being revised to clarify requirements and to allow for more practical application and enforcement of those requirements.	Brian Gearhart 717-705-1250
102 - Child Passenger Protection 67 Pa. Code, Chapter 102	March 2006	Under Act 229, regulations are needed exempting the use of child passenger restraint systems when impractical for physical reasons, including but not limited to, medical reasons or size of the child.	Louis Radar & Nancy Thomas 717-787-6853
201 - Engineering & Traffic Studies 67 Pa. Code, Chapter 201	January 2006	The Federal Highway Administration is requiring us to adopt the new National Manual on Uniform Traffic Control Devices as our traffic control standard. The Manual will be incorporated as reference in a new regulation, Chapter 212. Chapter 201 will be deleted and its language will become part of the new regulation.	Ken Williams & Dave Mallin 717-772-5462
203 - Work Zone Traffic Control 67 Pa. Code, Chapter 203	January 2006	The Federal Highway Administration is requiring us to adopt the new National Manual on Uniform Traffic Control Devices as our traffic control standard. The Manual will be incorporated as reference in a new regulation, Chapter 212. Chapter 203 will be deleted and its language will become part of the new regulation.	Ken Williams & Dave Mallin 717-772-5462
204 - Additional Traffic Control Devices in Highway Work Zones - Statement of Policy 67 Pa. Code, Chapter 204	January 2006	The Federal Highway Administration is requiring us to adopt the new National Manual on Uniform Traffic Control Devices as our traffic control standard. The Manual will be incorporated as reference in a new regulation, Chapter 212. Chapter 204 will be deleted and its language will become part of the new regulation.	Ken Williams & Dave Mallin 717-772-5462

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
211 - Official Traffic Control Devices 67 Pa. Code, Chapter 211	January 2006	The Federal Highway Administration is requiring us to adopt the new National Manual on Uniform Traffic Control Devices as our traffic control standard. The Manual will be incorporated as reference in a new regulation, Chapter 212. Chapter 211 will be deleted and its language will become part of the new regulation.	Ken Williams & Dave Mallin 717-772-5462
212 - Official Traffic Control Devices 67 Pa. Code, Chapter 212	January 2006	Federal Highway Administration is requiring us to adopt the new National Manual on Uniform Traffic Control Devices. Chapter 212 is a new regulation which will be used as the instrument to adopt the Manual.	Ken Williams & Dave Mallin 717-772-5462
217 - Posting of Private Parking Lots 67 Pa. Code, Chapter 217	January 2006	The Federal Highway Administration is requiring us to adopt the new National Manual on Uniform Traffic Control Devices as our traffic control standard. The Manual will be incorporated as reference in a new regulation, Chapter 212. Chapter 217 will be deleted and its language will become part of the new regulation.	Ken Williams & Dave Mallin 717-772-5462
441 - Access to and Occupancy of Highways by Driveways and Local Roads 67 Pa. Code, Chapter 441	March 2006	To be updated to better reflect current requirements.	Dan Smyser 717-787-6227
457 - Prequalification of Bidders 67 Pa. Code, Chapter 457	June 2006	The Bureau of Construction Materials is proposing changes to the Regulations due to policy changes and ECMS bid procedure changes since the last modification which was in 1998.	Joseph Cribben 717-787-3733

[Pa.B. Doc. No. 06-199. Filed for public inspection February 3, 2006, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website: www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
57-229	Pennsylvania Public Utility Commission Permanent Standards of Conduct	1/19/06

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 06-200. Filed for public inspection February 3, 2006, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control

VO Acquisition, LLC has filed an application to acquire control of Value Behavioral Health of Pennsylvania, Inc., a Commonwealth domiciled preferred provider organization that is not a licensed insurance company. The filing was made under the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-201. Filed for public inspection February 3, 2006, 9:00 a.m.]

PENNSYLVANIA COUNCIL ON AGING

Meeting Dates for 2006

Under 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act), the Pennsylvania Council on Aging (Council) has established the following dates for the calendar year 2006:

*Wednesday, February 8, 2006	9 a.m.—2:30 p.m.
Wednesday, April 12, 2006	9 a.m.—2:30 p.m.
Wednesday, June 14, 2006	9 a.m.—2:30 p.m.
Wednesday, August 9, 2006	9 a.m.—2:30 p.m.
**October meeting to be announced	
Wednesday, December 6, 2006	9 a.m.—2:30 p.m.

All meetings, with the exception of the February and October meetings, will be held at the Department of Aging, Fifth Floor Conference Room, 555 Walnut Street, Harrisburg, PA.

*The February 8 meeting will be held at the Radisson Penn Harris Hotel in Camp Hill.

**Contact the Council at (717) 783-1924 for the date and location of the October meeting, which will be determined later.

Persons with a disability who wish to attend the meetings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Darlene Sampson, Executive Director, (717) 783-1924 to discuss how the Council may best accommodate their needs.

DARLENE SAMPSON,
Executive Director

[Pa.B. Doc. No. 06-202. Filed for public inspection February 3, 2006, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 27, 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-00122383. Racing Limos of York, LLC (210 Pebble Beach Drive, Mount Wolf, York County, PA 17347)—

persons, in limousine service, from points in the Counties of York and Adams, to points in Pennsylvania, and return. *Attorney: J. Bruce Walter, Esquire, P. O. Box 1146, Harrisburg, PA 17108-1146.*

A-00122379. Gregory E. Ruffo t/a Ruffo's Auto Repair (401 North 4th Street, Youngwood, Westmoreland County, PA 15697)—persons, in limousine service, from points in the County of Westmoreland, to points in Pennsylvania, and return.

A-00122391. Susan R. Wingert (P. O. Box 694, 410 Maple Street, Terre Hill, Lancaster County, PA 17581)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Roma Torres; Doc. No. A-00120888C0501

COMPLAINT

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

1. That Roman Torres, respondent, maintains his principal place of business at 3601 Conshocken Ave., #501, Philadelphia, Pa. 19131.

2. That respondent was issued a certificate of public convenience by this Commission on September 7, 2004, at Application Docket No. A-00120888.

3. That respondent, by Commission Secretarial Letter dated July 9, 2004, was informed to submit a copy of a current satisfactory safety rating from the U. S. Department of Transportation or another state, within 180 days, or complete a safety fitness review by a Commission enforcement officer. A satisfactory safety rating must be achieved by respondent in order to maintain a certificate of public convenience to operate as a common carrier of property between points in the Commonwealth of Pennsylvania. Beginning in September, 2004, Enforcement Officer Charles F. Myers of the Philadelphia District Office made numerous attempts to contact respondent, but all were unsuccessful. On March 7, 2005, the Philadelphia District Office attempted to contact respondent by first class mail to scheduled a Safety Fitness Review. Respondent failed to respond to the letter. All attempts to reach respondent by the Philadelphia District Office were unsuccessful. On March 24, 2005, the Bureau of Transportation and Safety's safety office reported that respondent had failed to complete a safety fitness review in the allotted time period.

4. That respondent, by failing to submit itself to a safety fitness review from this Commission, violated 66 Pa.C.S. § 501(c) for failure to comply with a Commission order and § 1501 for failure to maintain adequate, efficient and safe service and facilities.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke Roman Torres's, certificate of public convenience at A-00120888.

Respectfully submitted,

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

VERIFICATION

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

Date: _____
Wendy J. Keezel

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

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

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue an order imposing a penalty. The penalty could include the revocation of your certificate of public convenience or other remedy.

C. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue an order imposing a penalty (see B).

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1168.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-203. Filed for public inspection February 3, 2006, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #06-003.1, Emergency Repairs to Masonry Walls/Weld Shop, Pier 80 S. Annex until 2 p.m. on Thursday, March 9, 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 February 14, 2006. Additional information and project listings may be found at www.philaport.com. The cost of the bid document is \$35 (includes 7% Pennsylvania 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 on February 23, 2006, at 10 a.m. at Pier 80 S. Ax, 2147 S. Columbus Blvd. (S. E. corner Columbus Blvd. and Snyder Ave.), Philadelphia, PA.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 06-204. Filed for public inspection February 3, 2006, 9:00 a.m.]

STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

**Bureau of Professional and Occupational Affairs v.
Ronald D. Hall; Doc. No. 1510-70-05**

On October 13, 2005, Ronald D. Hall, license no. RL001917L, of Media, Delaware County was reinstated under the order of the Court of Common Pleas of Philadelphia County, retroactive to September 19, 2005.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Certified Real Estate Appraisers, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Certified Real Estate Appraisers (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition

for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

ROBERT F. MCRAE,
Chairperson

[Pa.B. Doc. No. 06-205. Filed for public inspection February 3, 2006, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. David A. Brown, Malachi A. Carter and Hayden W. Smith t/d/b/a Dejavue Unisex Salon; Doc. No. 1855-45-04

On December 8, 2005, Hayden W. Smith, Malachi Carter and David R. Brown t/d/b/a Dejavue Unisex Salon, license no. CB103956L, of Philadelphia, Philadelphia County were assessed a civil penalty of \$1,500 based on findings respondents operated a shop on a lapsed license, respondents operated a shop without proper management, respondents did not have equipment required at the time of the shop inspection, respondents did not have the consumer notice posted in the shop and respondents used their shop for purposes other than providing cosmetology services.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Cosmetology (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 06-206. Filed for public inspection February 3, 2006, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Crystal Lewis a/k/a Crystal Gallagher; Doc. No. 1483-45-03

On December 7, 2005, Crystal Lewis a/k/a Crystal Gallagher, license no. CO250865, of Northampton, Northampton County was assessed a civil penalty of \$500 in addition to the previous imposed penalty of \$250 for a total of \$750 based on findings she violated a lawful disciplinary order of the State Board of Cosmetology (Board) by failing to pay a civil penalty.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 06-207. Filed for public inspection February 3, 2006, 9:00 a.m.]

STATE BOARD OF DENTISTRY

Bureau of Professional and Occupational Affairs v. Patrick Neill Boyle, D.D.S.; Doc. No. 0074-46-05

On September 16, 2005, Patrick Neill Boyle, D.D.S., license no. DS-030949-L, of Monaca, Beaver County was suspended from the practice of dentistry for a period of no less than 5 years, based on his violation of the terms of his probation imposed by a previous order of the State Board of Dentistry (Board). Patrick Neill Boyle, D.D.S. last practiced in Mount Lebanon, Allegheny County.

Individuals may obtain a copy of the adjudication by writing to Cynthia K. Montgomery, Board Counsel, State Board of Dentistry, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the Board's final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by filing a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

SUSAN E. CALDERBANK., D.M.D.,
Chairperson

[Pa.B. Doc. No. 06-208. Filed for public inspection February 3, 2006, 9:00 a.m.]

STATE ETHICS COMMISSION

Public Meeting

Under 65 Pa.C.S. §§ 1101—1113 (relating to the Public Official and Employee Ethics Act) (act), the State Ethics Commission (Commission) is required to hold at least two public hearings each year to seek input from persons and organizations who represent individual subjects to the provisions of the act and from other interested parties.

The Commission will conduct a public meeting on February 23, 2006, at 9 a.m. in Room 307, Finance Building, Harrisburg, PA for purposes of receiving said input and for the conduct of other agency business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present any statement, information or other comments in relation to the act, the regulations of the Commission or agency operations should contact Claire J. Hershberger at (717) 783-1610 or (800) 932-0936. Written copies of any statement should be provided at the time of the meeting.

JOHN J. CONTINO,
Executive Director

[Pa.B. Doc. No. 06-209. Filed for public inspection February 3, 2006, 9:00 a.m.]

STATE REAL ESTATE COMMISSION

**Bureau of Professional and Occupational Affairs v.
John J. Varrato; Doc. No. 1775-56-05**

On December 1, 2005, John J. Varrato, license no. RS216965L, of Ellwood City, Lawrence County was suspended under the Order of the Court of Common Pleas of Lawrence County dated November 17, 2005, which the court issued under section 4355 of the Domestic Relations Code for failure to pay child support.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Real Estate Commission (Commission) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of the petition for review. The Commission contact for receiving service of appeals is the previously named Commission counsel.

BEVERLY R. BROOKES,
Chairperson

[Pa.B. Doc. No. 06-210. Filed for public inspection February 3, 2006, 9:00 a.m.]