

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 February 6, 2007.

BANKING INSTITUTIONS

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-1-07	Fulton Bank Lancaster Lancaster County	515 Hershey Avenue and Wabank Road Lancaster Lancaster County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
2-1-07	Royal Bank America Narberth Montgomery County	Article Fifth of the Articles of Incorporation amended and revised in its entirety to provide for the issuance of preferred stock.	Approved and Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

VICTORIA A. REIDER
Acting Secretary

[Pa.B. Doc. No. 07-246. Filed for public inspection February 16, 2007, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources will hold a meeting on Wednesday, February 28, 2007, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Joan Dupes directly at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate thier needs.

MICHAEL DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 07-247. Filed for public inspection February 16, 2007, 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>
PA0040614	HRP Management, LLC c/o The Herrick 2 Ridgedale Avenue Cedar Knolls, NJ	City of Bethlehem Lehigh County	Monocacy Creek O2C	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAS 802210 (Stormwater)	Pocono Mountains Municipal Airport P. O. Box 115 Mount Pocono, PA 18344	Coolbaugh Township Monroe County	Red Run 02A	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>
PA0084395 (IW)	Department of Corrections— State Correctional at Camp Hill 2500 Lisburne Road Camp Hill, PA 17011	Cumberland County Lower Allen Township	Cedar Run 7E	Y
PA0087076	Hershey Entertainment & Resort Company, Inc. 300 Park Boulevard P. O. Box 860 Hershey, PA 17033	Dauphin County Derry Township	Spring Creek 7-D	Y
PA0029947 (SEW)	Southern Huntingdon County School District—Spring Farm Elementary School R. R. 2, Box 1124 Three Springs, PA 17264-9730	Huntingdon County Clay Township	UNT Spring Creek 12-C	Y
PA0029938 (SEW)	Southern Huntingdon County School District—High School/Middle School R. R. 2, Box 1124 Three Springs, PA 17264-9730	Huntingdon County Cromwell Township	Aughwick Creek 12-C	Y
PA0082392 (SEW)	Derry Township Municipal Authority—Southwest STP 670 Clearwater Road Hershey, PA 17033-2453	Dauphin County Londonderry Township	Swatara Creek 7-D	Y
PA0088137 (IW)	Reading Area Water Authority 815 Washington Street Reading, PA 19601-3658	Berks County Maidencreek Township	3B	Y

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

<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>
PA0111848 IW	Safety Light Corp. 4150A Old Berwick Road Bloomsburg, PA 17815	South Centre Township Columbia County	Susquehanna River 5D	Y
PA0228524	Duncan Township P. O. Box 908 Wellsboro, PA 16901	Tioga Duncan Township	UNT to Wilson Creek 9A	Y
PA0228311	Brady Township 1986 Elimsport Road Montgomery, PA 17752	Lycoming Brady Township	Black Hole Creek 10C	Y
PA0110761 IW	Shamokin Dam Borough 210 West Eight Avenue P. O. Box 273 Shamokin Dam, PA 17876-0273	Snyder County Shamokin Dam Borough	UNT of Susquehanna River 6A	Y

Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6860.

<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>
PA0112623 (Ind)	J. J. Bucher Producing Corp. Pearsall Lease 2568 Bells Run Road Shinglehouse, PA 16748-3030	Potter County Shinglehouse Borough	Oswayo Creek 16-C	Y

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

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

PA0244210, Industrial Waste, SIC 2841, **Crystal, Inc.—PMC**, 601 West Eight Street, Lansdale, PA 19446. This proposed facility is located in Lansdale Borough, **Montgomery County**.

Description of Proposed Activity: This proposed action is for the renewal and an amendment of an NPDES permit for the discharge of stormwater from an industrial facility.

The receiving stream, a UNT (Pa. Stream Code 02889) to the West Branch Neshaminy Creek, is in the State Water Plan Watershed 2F and is classified for WWF and MF. The nearest downstream public water intake is located on Neshaminy Creek.

The proposed effluent limits for Outfalls 001—004 are based on a stormwater event.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD ₅					Monitor and Report
COD					Monitor and Report
Oil and Grease					30
pH					Monitor and Report
Total Suspended Solids					Monitor and Report
Total Phosphorus					Monitor and Report
Total Kjeldahl Nitrogen					Monitor and Report
Iron, Total					Monitor and Report
Surfactants (MBAS)					Monitor and Report

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

1. Stormwater Conditions.

PA0024121, Sewage, SIC 4952, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is located in Upper Providence Township, **Delaware County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated sewage from Media Borough STP.

The receiving stream, Ridley Creek, is in the State Water Plan Watershed 3G and is classified for TSF, aquatic life, water supply and recreation. There is no downstream public water supply intake below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	25	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ as N			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	6.0		12.0
Fecal Coliform	# 200/100 ml		# 1,000/100 ml
Dissolved Oxygen			5.0 (Inst. Min.)
Total Residual Chlorine	0.3		1.0
pH	6.0 to 9.0 Standard Units at all times		

The proposed monitoring requirements for Outfalls 002 and 003 are based on an average flow of stormwater runoff.

<i>Parameters</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report

<i>Parameters</i>	<i>Maximum Daily (mg/l)</i>
pH (Standard)	Monitor and Report
Total Suspended Solids	Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report
Fecal Coliform (# Col/100 ml)	Monitor and Report
Total Phosphorus	Monitor and Report
Iron (Dissolved)	Monitor and Report

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

1. Operator Notification.
2. Average Weekly Definition.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change in Ownership.
7. Chlorine Minimization.
8. Proper Sludge Disposal.
9. TMDL/WLA Analysis.
10. WETT at Renewal.
11. Operator Certification.
12. I-Max Limitations.
13. Stormwater Condition.
14. Laboratory Certification.
15. Fecal Coliform I-Max Reporting.

PA0050482, Sewage, **Freedoms Foundation at Valley Forge**, 1601 Valley Forge Road, Valley Forge, PA 19482-0706. This existing facility is located in Schuylkill Township, **Chester County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage effluent from Freedoms Foundation STP.

The receiving stream, Jug Hollow, is in the State Water Plan Watershed 3F and is classified for HQ waters, aquatic life, water supply and recreation. The nearest downstream public water supply intake for PA America Water Company Norristown District is located on the Schuylkill River and is approximately 7.2 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0189 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>
CBOD ₅			25		50
Total Suspended Solids			30		60
Ammonia as N					
(5-1 to 10-31)			1.0		2.0
(11-1 to 4-30)			3.0		6.0
Fecal Coliform (#col/100 ml)			200		1,000
Dissolved Oxygen			6.0, I-min.		
pH (Std. Units)			6.0, I-min.		9.0
Total Residual Chlorine			0.5		1.2

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

1. Notification of Designation of Responsible Operator.
2. Abandon STP when Public Sewers become Available.
3. Remedial Measures if Public Nuisance.
4. No Stormwater to Sanitary Sewers.
5. Necessary Property Rights.
6. Small Stream Discharge.
7. Change in Ownership.
8. Chlorine Minimization.
9. Proper Sludge Handling.
10. Instantaneous Maximum Limitations.
11. Fecal Coliform Reporting.
12. Operator Training Plan.
13. Laboratory Certification.
14. Operations and Maintenance Plan.
15. Compliance Schedule for Treatment Plant Upgrades.

The EPA waiver is in effect.

PA0013081, Industrial Waste, SIC 2126, **Kimberly Clark of PA, LLC**, Front Street and Avenue of the States, Chester, PA 19013. This proposed facility is located in City of Chester, **Delaware County**.

Description of Proposed Activity: renewal of an NPDES permit to discharge industrial wastewater from Kimberly Clark PA Paper Manufacturing Facility.

The receiving stream, Delaware River Estuary Zone 4 and Chester Creek, is in the State Water Plan Watershed 3G and is classified for WWF, aquatic life, water supply and recreation. There is no public water supply intake downstream of the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 7.5 mgd.

<i>Parameters</i>	<i>Concentration (mg/l)</i>	
	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids (Raw intake water)	Monitor and Report	
Total Suspended Solids (Effluent)	Monitor and Report	
Free Available Chlorine	0.2	0.5
Total Residual Oxidant	Monitor and Report	
Temperature		110°F
pH	6.0 to 9.0 Standard Units all the times	

The proposed effluent limits for Outfall 006 are based on a design flow of 0.25 mgd.

<i>Parameters</i>	<i>Concentration (mg/l)</i>	
	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Free Available Chlorine	0.2	0.5
Total Residual Oxidant	Monitor and Report	Monitor and Report
Temperature		110°F
pH	6.0 to 9.0 Standard Units all the times	

The proposed monitoring requirements for Outfalls 008, 012, 013, 016, 018, 050 and 051 are based on an average flow of stormwater runoff.

<i>Parameters</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report
pH	Monitor and Report
Total Suspended Solids	Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report
Total Phosphorus	Monitor and Report
Iron (Dissolved)	Monitor and Report

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

1. Remedial Measures if Unsatisfactory Effluent.
2. Right to Modify.
3. Thermal Requirements.
4. Thermal Mixing Zone.
5. Approved Chemical Additives.
6. Condition for Chemical Additive Use.
7. Change of Ownership.
8. Proper Sludge Disposal.
9. TMDL/WLA Analysis.
10. Stormwater Requirement.
11. Intake Temperature Monitoring.
12. No Solids Discharge from the Travel Screen Cleaning.
13. Change in Discharge Frequency.
14. PCBs Requirements.

PA0029441, Sewage, SIC 4952, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This existing facility is located in Upper Dublin Township, **Montgomery County**.

Description of Proposed Activity: Issuance of a NPDES renewal permit for discharge of treated sewage effluent and stormwater to a UNT to Sandy Run. Permitted flow is increased from 1.0 mgd average annual flow to 1.1 mgd. The basis for the limits include consideration of the Wissahickon Total Maximum Daily Load dated October 2003 for the parameters CBOD₅, NH₃-N, Orthophosphate as P, Total Phosphorus, Dissolved Oxygen and (Nitrite + Nitrate) as Nitrogen.

The copper limits are based on a site-specific criterion for copper, which was developed by means of the Water Effect Ratio (WER) process in accordance with the Environmental Protection Agency's WER Guidance. The final recommended WER for Total Recoverable Copper is 2.47.

The receiving stream, a UNT to Sandy Run, is in the State Water Plan Watershed 3F and is classified for trout stocking, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Philadelphia Water Department is located on the Schuylkill River and is approximately 13.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.1 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	13	19		26
(11-1 to 4-30)	25	37		50
Total Suspended Solids	30	45		60
NH ₃ -N				
(5-1 to 10-31)	2.2			4.4
(11-1 to 4-30)	6.6			13.2
(NO ₂ + NO ₃)-N	Monitor			Monitor
pH (Std. Units)	6.0, I-min.			9.0
Fecal Coliform (# col/100 ml)	200			
Total Residual Chlorine	0.09			0.3
Dissolved Oxygen:				
(Issuance through Year 3)	5.0, I-min.			
(Year 4 through Expiration)	7.0, I-min.			
Orthophosphate as P:				
(Issuance through Year 3)	Monitor			Monitor
(Year 4 through Expiration 4-1 to 7-31)	1.4			2.8
Total Phosphorus as P:				
(Issuance through Year 3)	Monitor			Monitor
(Year 4 through Expiration)	2.0			4.0
Copper, Total				
(Issuance through Year 3)	Monitor		Monitor	
(Year 4 through Expiration)	0.056		0.087	

The proposed effluent limits for Stormwater Outfall 002 are based on a design flow of an average storm event.

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	Monitor		Monitor	
COD	Monitor		Monitor	
Oil and Grease	Monitor		Monitor	
pH	Monitor		Monitor	
Total Suspended Solids	Monitor		Monitor	
Total Kjeldahl Nitrogen	Monitor		Monitor	
Total Phosphorus	Monitor		Monitor	
Iron, Dissolved	Monitor		Monitor	
Fecal Coliform (# col/100 ml)	Monitor		Monitor	

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

1. Notification of Designation of Responsible Operator.
2. Definition of Average Weekly.
3. Remedial Measures if Public Nuisance.
4. No Stormwater to Sanitary Sewers.
5. Necessary Easements.
6. Small Stream Discharge.
7. Change in Ownership.
8. Specification of Test Method.
9. Proper Sludge Handling.
10. Chlorine Minimization.
11. TMDL Data Submission.
12. Whole Effluent Toxicity Testing with Renewal.
13. Instantaneous Maximum Limitations.
14. Stormwater Requirements.
15. SSO Language.

The EPA waiver is not in effect.

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

Application No. PA 0085332, Sewage, **Delta Borough**, 2008 Bunkerhill Avenue, Delta, PA 17314. This facility is located in Delta Borough, **York County**.

Description of activity: The application is for renewal and an amendment of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Scott Creek, is in Watershed 7-I, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Baltimore City is located on the Susquehanna River, approximately 20 miles downstream. The discharge is not expected to affect the water supply.

The proposed Interim effluent limits for Outfall 001 for a design flow of 0.24 mgd are:

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.23		4.46
(11-1 to 4-30)	6.69		13.38
Total Residual Chlorine	0.22		0.72
Total Phosphorus	2.0		4.0
Total Phosphorus		Monitor	
Total Nitrogen		Monitor	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

The proposed Final effluent limits for Outfall 001 for a design flow of 0.48 mgd are:

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	1.78		3.56
(11-1 to 4-30)	5.34		10.68
Total Residual Chlorine	0.19		0.64
Total Phosphorus	2.0		4.0
Total Phosphorus		365 lbs per year annual	
Total Nitrogen		7,306 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

Schedule for compliance with Chesapeake Bay Strategy.

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 not in effect.

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

PA0002879, Industrial Waste, SIC, 3312, **Union Electric Steel Corporation**, P. O. Box 465, Carnegie, PA 15106. This application is for renewal of an NPDES permit to discharge treated sewage, water, noncontact cooling water and stormwater from Harmon Creek Plant in Smith Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, UNT to Burgetts Fork, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Midland Borough Municipal Authority, located at Midland, Beaver County, 44 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0044 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average	Maximum	Average	Maximum	Instantaneous
	Monthly	Daily	Monthly	Daily	Maximum
Flow (mgd)	Monitor and Report				
Total Residual Chlorine			0.5		1.25

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<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature (°F)					
1st month through 36th month				110	
37th month through expiration					
January 1 to 31				45.7	
February 1 to 29				46.2	
March 1 to 31				60.9	
April 1 to 15				68.5	
April 16 to 30				74.5	
May 1 to 15				74.8	
May 16 to 31				90.1	
June 1 to 15				93.8	
June 16 to 30				97.8	
July 1 to 31				94.2	
August 1 to 31				93.4	
September 1 to 15				89.1	
September 16 to 30				83.1	
October 1 to 15				77.1	
October 16 to 31				71.1	
November 1 to 15				63.7	
November 16 to 30				54.5	
December 1 to 31				46.3	
Dissolved Iron				7.0	
Bromide			Monitor and Report		
Sulfates			Monitor and Report		
Iron, Total			Monitor and Report		
Magnesium			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Internal Monitoring Point 102: existing discharge, design flow of 0.015 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	0.0035				
CBOD ₅			25		50
TSS			30		60
Ammonia Nitrogen					
(5-1 to 10-31)			2.5		5.0
(11-1 to 4-30) (1st month through 36th month)			7.5		15
(11-1 to 4) (37th month through expiration)			6.0		12
Total Residual Chlorine			1.4		3.3
Dissolved Oxygen			5.0 mg/l minimum		
Fecal Coliform					
(5-1 to 9-30)	200/100 ml (as a monthly geometric mean)				
(10-1 to 4-30)	2,000/100 ml (as a monthly geometric mean)				
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Iron, Total			Monitor and Report		
Magnesium			Monitor and Report		

Discharges from Internal Monitoring Point 102.

Outfall 003: existing discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report		Monitor and Report		
Magnesium			Monitor and Report		

Internal Monitoring Point 103: existing discharge.

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

Outfalls 004 and 005: new stormwater discharges.

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

The EPA waiver is in effect.

PA0094510, Industrial Waste, SIC, 3316, **United States Steel Corporation, Mon Valley Works**, 13th Street and Braddock Avenue, Braddock, PA 15104. This application is for renewal of an NPDES permit to discharge treated process water, cooling water and stormwater from the Edgar Thomson Plant in North Braddock Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is PA American Water Company—Becks Run Intake, located at 410 Cooke Lane, Pittsburgh, PA 15234, 4.4 miles below the discharge point.

Outfall 005: existing discharge, average flow of 196 mgd. (Final Limits)

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report		Monitor and Report		
Temperature (°F)			110		
Total Residual Chlorine			0.3		
Suspended Solids			Monitor and Report		
Oil and Grease			Monitor and Report		
COD			Monitor and Report		
Nitrate + Nitrite - Nitrogen			Monitor and Report		
Iron			Monitor and Report		
Lead			Monitor and Report		
Manganese			Monitor and Report		
Zinc			0.15		
pH	not less than 6.0 nor greater than 9.0				

Outfall 106: existing discharge, average flow of 0.94 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report		Monitor and Report		
Suspended Solids	344	744	30	70	88
Oil and Grease	115	214	10	30	
Lead	1.72	5.16	0.15	0.45	0.56
Zinc	1.70	5.11	0.1	0.3	0.38

NOTICES

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Naphthalene		0.59		0.085	0.11
Tetrachloroethylene		0.89		0.13	
pH			not less than 6.0 nor greater than 9.0		

Outfall 006: existing discharge, average flow of 25.2 mgd. (Final Limits)

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Total Residual Chlorine			0.5		1.25
Suspended Solids			Monitor and Report		
COD			Monitor and Report		
Nitrate + Nitrite - Nitrogen			Monitor and Report		
Aluminum			2.1		5.3
Iron			Monitor and Report		
Lead			Monitor and Report		
Manganese			Monitor and Report		
Zinc			Monitor and Report		
Titanium			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 008: existing discharge, average flow of 1.28 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Temperature (°F)				110	
Total Residual Chlorine			0.5		1.25
Suspended Solids			Monitor and Report		
Oil and Grease			Monitor and Report		
COD			Monitor and Report		
Nitrate + Nitrite - Nitrogen			Monitor and Report		
Iron			Monitor and Report		
Lead			Monitor and Report		
Manganese			Monitor and Report		
Zinc			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 109: existing discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids	347	1,037	25	70	88
Oil and Grease	3.1	9.0	10	30	
Lead	2.3	6.8	0.30	0.9	1.13
Zinc	3.4	10.1	0.45	1.35	1.69
pH			not less than 6.0 nor greater than 9.0		

Outfall 209: existing discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids	29	81	25	70	88
Oil and Grease	12	35	10	30	
Lead	0.35	1.05	0.30	0.90	1.13

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Zinc	0.52	1.57	0.45	1.35	1.69
pH	not less than 6.0 nor greater than 9.0				

Outfall 309: existing discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids	29	81	25	70	88
Oil and Grease	12	35	10	30	
Lead	0.35	1.05	0.30	0.90	1.13
Zinc	0.52	1.57	0.45	1.35	1.69
pH	not less than 6.0 nor greater than 9.0				

Outfall 409: existing discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids	29	81	25	70	88
Oil and Grease	12	35	10	30	
Lead	0.35	1.05	0.30	0.90	1.13
Zinc	0.52	1.57	0.45	1.35	1.69
pH	not less than 6.0 nor greater than 9.0				

Outfall 009: existing discharge, average flow of 6.04 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature				110	
Total Residual Chlorine				0.5	1.25
Zinc				0.711	1.78
Suspended Solids	Monitor and Report				
COD	Monitor and Report				
Nitrate + Nitrite + Nitrogen	Monitor and Report				
Iron	Monitor and Report				
Lead	Monitor and Report				
Manganese	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is not in effect.

PA0216453, Industrial Waste, SIC, 3325, **McConway and Torley Corporation**, 109 48th Street, Pittsburgh, PA 15201. This application is for renewal of an NPDES permit to discharge untreated noncontact cooling water and stormwater runoff from the Pittsburgh facility in the City of Pittsburgh, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is West View Water Authority, located on the Ohio River, approximately 8 miles below the discharge point.

Outfall 003: existing discharge, design flow of 0.6 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)					100
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids					Monitor and Report
Zinc, Total					Monitor and Report

Outfall 002: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids					Monitor and Report
Iron, Total					Monitor and Report
Zinc, Total					Monitor and Report

Outfall 004: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids					Monitor and Report
Iron, Total					Monitor and Report
Zinc, Total					Monitor and Report
Chemical Oxygen Demand					Monitor and Report
Copper, Total					Monitor and Report
Manganese					Monitor and Report

Other Conditions: Chemical additives, floating solids, solids disposal, no net addition stormwater conditions.

The EPA waiver is in effect.

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

PA0021792, Amendment No. 1, Sewage. Municipal Authority of the Borough of Edinboro, 124 Meadville Street, Edinboro, PA 16412. This facility is located in Edinboro Borough, **Erie County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Franklin General Authority intake on French Creek located at Franklin, is approximately 48 miles below point of discharge.

The receiving stream, the Conneauttee Creek, is in Watershed 16A and classified for TSF, aquatic life, water supply and recreation.

This amendment serves to remove the final, water quality based copper limits in the permit. The Department of Environmental Protection has determined this decision is consistent with Federal antibacksliding provisions.

The EPA waiver is not in effect.

PA0239861, Sewage. Cochranon Borough, 109 East Adams Street, Cochranon, PA 16314. This proposed facility is located in Wayne Township, **Crawford County**.

Description of Proposed Activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Water Company located on the Allegheny River and is approximately 53 miles below point of discharge.

The receiving stream, French Creek, is in Watershed 16-D and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.175 mgd.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX	XX			
CBOD ₅	32	48	22	33	44
Total Suspended Solids	44	66	30	45	60

Parameters	Loadings		Concentrations		Instantaneous Maximum (mg/l)
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a geometric average 2,000/100 ml as a geometric average		
Total Residual Chlorine			Not Detectable		
NH ₃ -N (5-1 to 10-31)	11.7		8		16
(11-1 to 4-30)	35		24		48
Phosphorus	2.9		2		4
Dissolved Oxygen			Minimum 3		
Copper	0.21		0.147		0.294
pH			6.0 to 9.0 standard units at all times		

XX—Monitor and report on monthly DMRs.

The EPA waiver is not in effect.

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

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

WQM Permit No. 0494403-A2, Sewerage, **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106. This existing facility is located in Big Beaver Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for permit amendment for revisions to sanitary and industrial wastewater systems.

WQM Permit No. 6374406-A6, Sewerage, **Canonsburg-Houston Joint Authority**, 68 East Pike Street, Canonsburg, PA 15317. This existing facility is located in Canonsburg Borough, **Washington County**.

Description of Proposed Action/Activity: Application for interceptor upgrade.

WQM Permit No. WQG016139, Sewerage, **Gary Schmidt**, 26 Bridge Street, Pittsburgh, PA 15223. This proposed facility is located in Indiana Township, **Allegheny County**.

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

WQM Permit No. WQG016140, Sewerage, **Department of Veterans Affairs, National Cemetery Administration**, 811 Vermont Avenue NW, Room 235, Washington, DC 20005. This proposed facility is located in Cecil Township, **Washington County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewage treatment facility to serve the National Cemetery of the Alleghenies.

WQM Permit No. WQG016141, Sewerage, **Frederick J. McFadden, III**, 105 Maple Springs Court, Ebensburg, PA 15931. This proposed facility is located in Allegheny Township, **Cambria County**.

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

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

WQM Permit No. 6286201, Industrial Waste Amendment No. 2, **Waste Treatment Corporation**, 1 Harmer Street, Warren, PA 16365. This proposed facility is located in City of Warren, **Warren County**.

Description of Proposed Action/Activity: This project is to modify their waste treatment system by adding a rapid sand filtration unit to their effluent stream.

WQM Permit No. 2507401, Sewerage, **McKean Township Sewer Authority**, 9231 Edinboro Road, McKean, PA 16426. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a pump station and conveyance system to serve the Georgetown Heights Subdivision.

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

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

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

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

Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, (570) 281-9495

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023507004	Gary Dell'Alba K-MAR Properties 2432 Emerick Blvd. Bethlehem, PA 18020	Lackawanna	Covington Township	Tributary to Six Springs Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10S056R(3)	Sanofi Pasteur Inc. Discovery Drive Swiftwater, PA 18370	Monroe	Pocono Township	Swiftwater Creek HQ-CWF
PAI024507001	DEPG Bartonsville Associates, LP Plymouth Corp. Center 625 Ridge Pike Suite. A-107 Conshohocken, PA 19428	Monroe	Stroud Township	Pocono 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>
PAI033807001	Plain 'N Fancy Kitchens, Inc. Route 501 and Oak Street Schaefferstown, PA 17088-0519	Lebanon	Heidelberg Township	UNT to Hammer Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041407001	Millheim Borough Council Millheim Wastewater Treatment System P. O. Box 421 Millheim, PA 16854	Centre	Penn Township	Elk Creek and Susquehanna River Basin EV
PAI041407002	Ed Poprik State College Area School District 131 West Nittany Avenue State College, PA 16801	Centre	State College Borough	UNT to Thompson Run HQ-CWF

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

Elk Conservation District: 300 Center Street, P. O. Box 448, Ridgway, PA 15853, (814) 776-5373.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062407001	United States Army Corps of Engineers Baltimore District	Elk	Benezette Township	UNT Porcupine Hollow 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

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

Application No. 4807501, Public Water Supply.

Applicant **Pennsylvania American Water Company (PAWC)**
 Pen Argyl and Roseto Boroughs; and Plainfield, Washington and Upper Mount Bethel Townships in **Northampton County**

Responsible Official David Kaufman
 PAWC
 800 West Hersheypark Drive
 Hershey, PA 17033

Type of Facility PWS

Consulting Engineer Karl Shellenberger, P. E.
 Buchart-Horn, Inc.
 1200 West College Avenue
 State College, PA 16801

Application Received Date 1/10/07

Description of Action PAWC proposes the construction of the PAWC Blue Mountain/Bangor Interconnect Project which includes the construction of approximately 7,400 LF of new distribution mains, a new underground booster pumping station, new raw water pumps at the Oxford Reservoir, and approximately 800 LF of new transmission main piping from the Bangor Plant to the Lower Handelong Reservoir.

Application No. 4507501, Public Water Supply.

Applicant **Pennsylvania American Water Company (PAWC)**

Responsible Official **Stroud Township Monroe County**
 David Kaufman
 PAWC
 800 West Hersheypark Drive
 Hershey, PA 17033

Type of Facility PWS

Consulting Engineer Edward J. DiMond, P. E.
 Buchart-Horn, Inc.
 4A Eves Road, Suite 114
 Marlton, NJ 08053

Application Received Date 1/24/07

Description of Action Applicant proposes the construction of a new source of supply, known as the Blue Mountain Lake Well No. 3 and related appurtenances.

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

Permit No. 3807502, Public Water Supply.

Applicant **KB's Cookies**

Municipality Bethel Township

County **Lebanon**

Responsible Official Kristen S. Ramirez, Owner
 100 Chestnut Hill Road
 Fredericksburg, PA 17026

Type of Facility Public Water Supply

Consulting Engineer Charles A. Kehew II, P. E.
 James A. Holley & Associates, Inc.
 18 South George Street
 York, PA 17401

Application Received: 1/29/2007

Description of Action Installation of nitrate treatment.

Permit No. 3807503, Public Water Supply.

Applicant **Dutchman's Country Market, Inc. d/b/a Dutch-Way Farm Market**

Municipality Heidelberg Township

County **Lebanon**

Responsible Official Richard D. High, President
 P. O. Box 409
 Schaefferstown, PA 17088

Type of Facility Public Water Supply

Consulting Engineer Charles A. Kehew II, P. E.
 James R. Holley & Assoc., Inc.
 18 South George Street
 York, PA 17401

Application Received: 1/31/2007

Description of Action Installation of nitrate treatment.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application Minor Amendment.

Applicant	Aqua Pennsylvania Inc. (Pine Beach) Paupack Township Wayne County
Responsible Official	Steve E. Clark Operations Manager Waymart Division
Type of Facility	Public Water System
Consulting Engineer	Brennan T. Kelly, P. E. Aqua Pennsylvania Inc. Palmyra Professional Complex HCR Box 6040 Hawley, PA 18428
Application Received Date	December 18, 2006
Description of Action	Improvements to the Pine Beach well house by relocating the below grade structure and equipment to above grade.

Application Minor Amendment.

Applicant	Easton Suburban Water Authority City of Easton Northampton County
Responsible Official	Roy White, General Manager ESWA 3700 Hartley Avenue Easton, PA 18045
Type of Facility	PWS
Consulting Engineer	James Elliott, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106
Application Received Date	1/17/07
Description of Action	Applicant requests transfer of City of Easton's PWS Permits 3480050 issued 7/1/05; Minor Amendment issued 1/19/06; and Minor Amendment 10/12/05 to the ESWA.

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 Stan-

dard, 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.

Westtown Township Police Barracks, Westtown Township, **Chester County**. Mark Hawkins, Brickhouse Env., 515 S. Franklin Street, West Chester, PA 19382 behalf of Robert Layman, Westtown Township, 1039 Wilmington Pike, West Chester, PA 19382 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of No. 2 fuel oil. The intended future use is unknown at this time as the property is being prepared for the market. It is likely that the future use will be commercial or residential.

Sunoco Inc. Old Pennell Rd., Aston Township, **Delaware County**. Jennifer Huha, GES, Inc. 440 Creamery Way Suted 500, Exton, PA 19341 on behalf of Anthony Morelli, 3460 Pennell Road, Media, PA 19063, Lloyd Yarnell, 3461 Pennell Road, Media, PA 19063, Bruce Snyder, 5000 Pennell Road, Media, PA 19063, Glenn Gualtieri, 102 Old Pennell Road, Media, PA 19063, Dean Fountain, 460 Old Pennell Road, Media, PA 19063, Hope McGowan, 100 Old Pennell Road, Media, PA 19063, Gary

Link, 105A Old Pennell Road, Media, PA 19063, Walter Rupnicki, 115A Old Pennell Road, Media, PA 19063 has submitted a Notice of Intent to Remediate Groundwater at the site has been impacted by release of unleaded gasoline. The future use will remain the same.

Hedley St., Philadelphia Republic. City of Philadelphia, **Philadelphia County.** Walter H. Hungarter, III, RT Env. Svc., Inc., 215 West Church Road, Suite 301, King of Prussia, PA 19406 on behalf of Dean DiValerio, Republic Svc. of PA, LLC, 414 E. Baltimore Pike, Media, PA 19063 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release inorganics. The future use of the site will remain the same.

Route 322 and Skelp Level Road, James Arthur, Env. Standards, Inc., P. O. Box 810, Valley Forge Road, Valley Forge, PA 19482 on behalf of Lara Herzig, PECO Energy Co., 2301 Market Street, Philadelphia, PA 19101 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with No. 2 fuel oil. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily New Local*.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

Permit ID No. 100281. Greenridge Reclamation, LLC, R. D. 1, Box 717, East Huntingdon Landfill Road, Scottdale, PA 15683. Greenridge Reclamation, R. D. 1, East Huntingdon Landfill Road, Scottdale, PA 15683. Application for the permit renewal of a municipal waste landfill in East Huntingdon Township, **Westmoreland County** was received in the Regional Office on February 1, 2007.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

PLAN APPROVALS

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

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

48-309-128: Todd Heller, Inc. (799 Smith Lane, Northampton, PA 18067) for construction of a glass bead furnace and associated air cleaning device at their facility in Northampton Borough, **Northampton County**.

35-318-093: MACTac (P. O. Box 1106, Scranton, PA 18501) for replacement of a coater line at their facility at 802 East Corey Street, Moosic Borough, **Lackawanna County**.

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

31-05011D: U. S. Silica Co. (P. O. Box 187, Berkeley Springs, WV 25411-0187) for adding chutes, a tank and modifying conveying to the rail load out system to load additional rail cars from the low iron sand process at the Mapleton Depot Plant, Brady Township, **Huntingdon County**.

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

47-309-001A: United States Gypsum Co. (125 South Franklin Street, Chicago, IL 60606) for construction of synthetic gypsum railcar and truck unloading operations at 60 PPL Road in Derry Township **Montour County**.

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

65-00858B: Commonwealth Renewable Energy, Inc. (777 Technology Drive, Mt. Pleasant, PA 15666) for construction of an ethanol facility in East Huntingdon Township, **Westmoreland County**.

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

24-083K: Carbone of America (215 Stackpole Street, St. Marys, PA 15857) for collection of dust emissions from the new pulverizer to an existing dust collector in the City of St. Marys, **Elk County**. This 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.

09-0039C: BMCA Quakertown Inc. d/b/a GAF Material (60 Pacific Drive, Quakertown, PA 18951) for installation of a thermal oxidizer, which replace existing carbon filter as a control located at 60 Pacific Drive, Quakertown, Quakertown Borough, **Bucks County**. This facility is a Major for VOC. There is no emissions increase. Emissions from these sources are 18 tons of VOC. The Plan approval will contain recordkeeping and operating restriction designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

15-0013B: Huhtamaki Flexibles, Inc. (2400 Continental Boulevard, Malvern, PA 19355) for installation of a thermal oxidizer, which replaces existing old thermal oxidizer as a control and also install a new rotogravure press at 2400 Continental Boulevard, Malvern, Tredyffrin Township, **Chester County**. This facility is a Major for VOC. The facility will continue to operate under plant-wide applicability limit of 94.7 tpy. There is no emissions increase. The Plan approval will contain recordkeeping and operating restriction designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

46-0027B: Johnson and Johnson Pharmaceutical Research and Development, LLC (Welsh and McKean Roads, Springhouse, PA 19477) for installation of three boilers at their manufacturing/pharmaceutical research and development facility at Welsh and McKean Roads, Lower Gwynedd Township, **Montgomery County**. The installation of three boilers will result in the emissions of: 5.92 tpy of NOx, 6.17 tpy of CO, 7.62 tpy of SOx, 0.59 tpy of VOC, 0.26 tpy of HAPs and 1.87 tpy of PM10. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

06-05090C: Chiyoda America, Inc. (P. O. Box 470, Thousand Oaks Boulevard, Morgantown, PA 19543) for modification of a decorative printing operation in

Caernarvon Township, **Berks County**. The modification involves the operation of several sources and operations without controls for short periods of time. The permit will limit the amount and types of operations that will be permitted during these periods. The emissions from these sources and operations during these periods are estimated to be of minor significance. The facility will still be required to limit their VOC emissions to less than 50 tpy. The permit will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the operating within all applicable air quality requirements.

28-05041A: Jerr-Dan Corp.—State Line Wrecker Plant (1080 Hykes Road, Greencastle, PA 17225) for construction of two coating booths, and three natural gas fired curing ovens of combined 7.5 mmBtu/hr rated heat input, in Antrim Township, **Franklin County**. The estimated annual emissions from this Plan Approval is approximately 10 tons of VOC. The Plan Approval will include restrictions and work practice requirements. This Plan Approval will be incorporated into the facility's synthetic minor operating permit application No. 28-05041 in accordance with 25 Pa. Code § 127.450. The permit will contain work practice and restrictions, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements

34-03008A: Excel Homes, LLC (R. R. 2, Box 683, Liverpool, PA 17045-9518) for operation of their existing modular home manufacturing facility in Susquehanna Township, **Juniata County**. VOC emissions are expected to be 7.3 tpy. The Plan Approval will include monitoring, recordkeeping and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-05093C: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506) for installation of a replacement recycled asphalt paving system at the company's Denver asphalt plant in East Cocalico Township, **Lancaster County**. This action will not impact emissions from the facility and all existing permit requirements will remain in effect. The asphalt plant is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

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

63-00909: GE Ionics, Inc. (P. O. Box 560, 30 Curry Avenue, Canonsburg, PA 15317) for minor permit modification for an increase of 4.0 tons NOx and 2.4 tons PM10 per year resulting from the installation of a new plasma cutting table on or about February 9, 2007, at their Ionics Canonsburg Plant in Canonsburg Borough, **Washington County**.

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

AMS 06170: Sunoco, Inc.—R&M (3144 Passyunk Avenue, Philadelphia, PA 19145) for reduction of the frequency of some monitoring requirements in Plan Approval No. 98005, issued March 23, 1998, for a Sewer Odor Treatment Unit (Biofilter) at 3200 South 26th Street in the City of Philadelphia, **Philadelphia County**. Emissions are not expected to increase as a result of this change. The plan approval will contain operating, testing, monitoring, recordkeeping and reporting requirements to ensure operation within all applicable requirements.

AMS 07002: Sun Chemical Corp. (3301 Hunting Park Avenue, Philadelphia, PA 19132) for construction and operation of a Paste Ink production line that includes one paste ink mixer, two paste ink mills and paste ink tub washer in the City of Philadelphia, **Philadelphia County**. There will be a potential emission increase of 6.87 tons of VOCs for the facility. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

46-00047: Mueller Streamline Co. (287 Wissahickon Avenue, North Wales, PA 19454) for renewal of the Title V Operating Permit in Upper Gwynedd Township, **Montgomery County**, PA. The initial permit was issued on December 31, 2001. Mueller Streamline Company is a manufacturing plant, which operates two batch vapor degreasers (solvent used: Methylene chloride CAS No. 75-09-20), numerous tube straightener units and various combustion units. The vapor degreasers are regulated by 40 CFR 63, Subpart T (National Emission Standards for Halogenated Solvent Cleaning). As a result of the potential levels of VOCs emitted, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

15-00031: Henry Co. (336 Cold Stream Road, Kimberton, PA 19442) for renewal of the Title V Operating Permit in East Pikeland Township, **Chester County**. The initial permit was issued on October 25, 2001. The facility manufactures protective asphalt coatings and operates numerous mixing tanks, storage tanks and various process piping. The facility is major for VOCs emissions. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

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

62-00032: Ellwood National Forge—ENF (1, Front Street, Irvine, PA 16329-1801) for re-issuance of a Title V Permit to operate iron and steel forging products manufacturing in Brokenstraw Township, **Warren County**. The facility's major emission sources include union iron boiler, natural gas space heaters, package heat boilers (2-muira), vacuum degreaser boiler, 45T electric arc furnace, ens annealing furnaces (4), enf heat treat (19), enf heat treat (10), shot blasts (2), crankshaft file and grind process, vacuum degreaser, teeming, scrap handling, slag handling, plant roadways and enc crankshaft degreasing. Previously this facility was synthetic minor in status. At present facility has taken no restriction on production capacity or number of hours. Thus the facility is becoming Title V. The facility is subject to the Compliance Assur-

ance Monitoring Rule found in 40 CFR Part 64. Appropriate permit conditions to address the applicable CAM requirements have been included in the permit.

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.

15-00034: Sanofi-Aventis U. S., Inc. (9 Great Valley Parkway, Malvern, PA 19355), for a non-Title V, State-only, Synthetic Minor Operating Permit in East Whiteland Township, **Chester County**. Sanofi-aventis, U. S., Inc. is a pharmaceutical research and development facility. The facility is a major source of NOx and will take appropriate operating and emission restrictions to maintain a minor status below 25 tpy. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

46-00232: Bostik, Inc. (1740 County Line Road, Huntingdon Valley, PA 19006) for a non-Title V facility, State-only, Synthetic Minor Operating Permit in Upper Moreland Township, **Montgomery County**. Bostik, Inc. is a manufacturer of caulking, adhesives and sealants. The main sources of emissions are the facility's cleaning operations and seven mixers, used to make product. The facility also has numerous combustion sources that result in very little emissions. The Department of Environmental Protection has determined these to be insignificant sources. The facility also has various storage tanks that result in less than 1 pound of emissions a year. The facility has a potential to emit more than 25 tons a year of VOCs. However, the facility has adopted an emission limit of 24.9 tpy for VOCs for the entire facility. The facility has a potential to emit of 6.13 tpy for HAPs, 0.62 tpy for PM, and 1.32 tpy for NOx. Emissions of SOx and CO from the facility are expected to be insignificant. The permit will contain monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

15-00067: Herr Foods, Inc. (273 Old Baltimore Pike, Nottingham, PA 19362) for a non-Title V facility, State-Only, Synthetic Minor Permit in West Nottingham Township, **Chester County**. Herr Foods Inc is a manufacturing-food preparations facility. The sources of emissions include boilers and product lines. The company took an emission limit of 24.9 tpy of NOx. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

48-00068: Pennsylvania Perlite Corp. (1428 Mauch Chunk Road, Bethlehem, PA 18018) for a perlite processing plant in the City of Bethlehem, **Northampton County**. The facility's main sources includes two natural gas fired furnaces. The facility has the potential to emit PM, VOCs, HAPs, NOx, SOx and CO below the major emission thresholds. The proposed State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

64-00011: Wayco Sand and Gravel, Inc. (1428 Mauch Chunk Road, Bethlehem, PA 18018) for a sand and gravel processing plant in South Canaan Township, **Wayne**

County. The facility's main sources include one primary crusher, one twin roll crusher, two three-deck screens, conveyors and one diesel fired generator. The facility has the potential to emit PM, VOCs, HAPs, NOx, SOx and CO below the major emission thresholds. The proposed State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

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

06-03132: Ernst Cabinet Works, Inc. (51 Primerose Street, Hamburg, PA 19526) for operation of a wooden furniture manufacturing facility in Hamburg Borough, **Berks County.** The facility is not subject to Title V (State-only operating permit). The facility will include surface coating operations controlled by dry filters. The permit will have monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

36-05064: Homette Corp.—Skyline Homes (465 North Reading Road, Ephrata, PA 17522) for operation of their modular home manufacturing facility in the Ephrata Borough, **Lancaster County.** This is a renewal of their State-only Operating Permit issued in 2002.

36-05065: Homette Corp.—Skyline Homes (99 Horseshoe Road, Leola, PA 17540) for operation of their modular home manufacturing facility in the Ephrata Borough, **Lancaster County.** This is a renewal of their State-only Operating Permit issued in 2002.

67-05073: New York Wire Co. (P. O. Box 1749, York, PA 17405) for operation of their textile facility in Mount Wolf Borough, **York County.** The facility has the potential to emit 50 tons VOC per year. The State-only operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Vinyl Plastisol Coating & Curing Line Nos. 9 and 10 are subject to 40 CFR Part 60, Subpart VVV—Standards of Performance for Polymeric Coating of Supporting Substrates Facilities. This is a renewal of the State-only operating permit.

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

14-00036: Gensimore Trucking, Inc.—Happy Valley Blended Products, LLC (P. O. Box 5210, Pleasant Gap, PA 16823) for operation of a bulk cement blending facility in Spring Township, **Centre County.**

The facility incorporates two cement blending lines, a .14 million Btu per hour anthracite coal-fired furnace, a .05 million Btu per hour natural gas-fired furnace and two propane-fired space heaters (.08 and .125 million Btu per hour). The PM emissions including PM10 from the two blending lines are controlled by two fabric collectors.

The air contaminant emissions from the facility are not expected to exceed 11.78 tons of PM including PM10, 1.42 tons of SOx, .27 ton of NOx, .05 ton of CO and .02 ton of total hydrocarbons per year.

The Department of Environmental Protection proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regu-

latory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously contained in Operating Permit 14-309-044, issued on March 5, 2002.

The conditions previously contained in Operating Permit 14-309-044 include:

1. A condition prohibiting a blending line from operating if the associated fabric collector is in a bag shake cycle.

2. A condition requiring each fabric collector to be equipped with instrumentation to monitor the pressure differential across the collector.

3. A condition requiring extra fabric collector bags to be kept on site.

4. A condition prohibiting the loading of any trucks other than tank trucks at the tank truck loading stations incorporated in the two blending lines.

5. Conditions restricting the first blending line (P101) to the unloading of no more than one railcar and one truck simultaneously and the second blending line (P102) to the unloading of no more than two trucks simultaneously.

49-00026: SemMaterials, LP (Fourth and Duke Streets, Northumberland, PA 17857) for operation of an asphalt storage and truck loading facility in Point Township, **Northumberland County.**

The facility incorporates 38 storage tanks, four asphalt mix tanks, four truck loading racks, a clay silo, a rubber grinder, two solvent parts washers, two small natural gas/No. 2 fuel oil-fired boilers and two natural gas-fired space heaters.

Two of the asphalt mix tanks are equipped with a mist eliminator, and the clay silo is equipped with a fabric collector, for air contaminant emission control.

The air contaminant emissions from the facility are not expected to exceed 38.3 tons of VOCs, 20.3 tons of PM10, 19.3 tons of SOx, 5.5 tons of NOx, 3.1 tons of CO and 4.0 tons of HAP per year.

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

The Department of Environmental Protection proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions to ensure that the plan approval exempt status of various air contamination sources at the facility, as determined by the Department of Environmental Protection subsequent to the submission of "Request for Determination of Requirement for Plan Approval/Operating Permit forms by the permittee on February 27, 2001, June 5, 2001, and April 23, 2002, is maintained.

The conditions intended to ensure maintenance of plan approval exempt status include:

1. A condition limiting the VOC emissions from Tank 34 to less than 10 tons in any 12-consecutive month period.

2. A condition limiting the VOC emissions from Tank 37 to less than 10 tons in any 12-consecutive month period.

3. A condition limiting the combined VOC emissions from Tanks 33 and 36 to less than 2.7 tons in any 12-consecutive month period.

4. A condition limiting the combined emissions of VOC from Tanks 35 and 39 to less than 2.7 tons in any 12-consecutive month period.

5. A condition limiting the VOC emissions from Tank 38 to less than 2.7 tons in any 12-consecutive month period.

6. A condition limiting the combined VOC emissions from the four asphalt mix tanks to less than 10 tons in any 12-consecutive month period.

7. A condition limiting the combined VOC emissions from Loading Racks 1—3 to less than 10 tons in any 12-consecutive month period.

8. A condition limiting the VOC emissions from Loading Rack 4 to less than 10 tons in any 12-consecutive month period.

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

9. A condition limiting the total combined VOC emissions from all air contamination sources at the facility to less than 50 tons in any 12-consecutive month period.

10. A condition requiring all No. 2 fuel oil fired at the facility to be virgin No. 2 fuel oil to which no reclaimed or waste oil or other waste materials have been added.

11. Conditions restricting the fuel used in the boilers and space heaters to No. 2 fuel oil and natural gas.

12. Conditions requiring asphalt mix tanks M1 and M2 to be equipped with a mist eliminator and prohibiting the addition of clay to asphalt mix tanks M3 and M4.

13. A condition prohibiting the use of halogenated solvents in the two solvent parts washers.

14. Conditions requiring the maintenance, and periodic submission, of records of No. 2 fuel oil sulfur content and material identity and monthly throughput for each storage tank, asphalt mix tank and truck loading rack.

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

11-00353: Ebensburg Power Co. (2840 New Germany Road, Ebensburg, PA 15931) for remining and screening the existing refuse, transporting the screened refuse by truck to the Ebensburg Power Plant where it will be burned as fuel, transporting the boiler ash from the power plant back to the Revloc Refuse Reclamation Site, alternately layering the ash with the oversize material, covering the entire regarded pile with clay until the final contours are reached, and finally, reseeding the entire site. This permit is for their Revloc Waste Coal Site in Cambria Township, **Cambria County**. This is a State-only Operating Permit Renewal.

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

25-00891: Corry Contract, Inc. (21 Maple Avenue, Corry, PA 16407) for re-issuance of a Synthetic Minor Permit to operate an office furniture manufacturing facility in the City of Corry, **Erie County**. The facility's major emission sources include miscellaneous natural gas usage, boiler, third floor paint booth (5), three touch-up booths, batch oven touch up, cure oven, pyrolysis oven, five paint booths in plant II, plant II curing oven and degreaser unit. The facility has taken a restriction on VOC emission from the facility not more than 49.9 tpy to maintain the status of synthetic minor.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

Coal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 03851601 and NPDES Permit No. PA0214540. TJS Mining, Inc. (2340 Smith Road, Shelocta, PA 15774). To renew the permit for the Dutch Run Prep Plant in Plumcreek Township, **Armstrong County** and related NPDES permit. No additional discharges. Application received: January 5, 2007.

Permit No. 56061301 and NPDES Permit No. NA. RoxCOAL, Inc. (P. O. Box 149, Friedens, PA 15541). To operate the Kimberly Run Mine in Somerset Township, **Somerset County** a new underground mine and related NPDES permit. Surface Acres Proposed 66.7, Underground Acres Proposed 2,638.0, Subsidence Control Plan Acres Proposed 842.7. Receiving stream: Kimberly Run, classified for the following use: CWF. Application received: December 22, 2006.

Permit No. 56971301 and NPDES Permit No. PA0214973, RoxCOAL, Inc. (P. O. Box 149, Friedens, PA 15541). To renew the permit for the Geronimo Mine in Jenner and Quemahoning Townships, **Somerset County** and related NPDES permit. No additional discharges. Application received: December 21, 2006.

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

11070102. PA0262293. C.M.T. Energy, Inc. (108 South Twigg Street, Box 23, Smokerun, PA 16681). Commencement, operation and restoration of a bituminous surface-auger mine in Chest Township, **Cambria County**, affecting 15.2 acres. Receiving streams: unnamed streams No. 1—4 to Chest Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 19, 2007.

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

26070102 and NPDES Permit No. PA0251046. Amerikohl Mining, Inc. (1384 SR 711, Stahlstown, PA 15687). Application for commencement, operation and reclamation to a bituminous surface mine, located in

Springfield Township, **Fayette County**, affecting 214.1 acres. Receiving streams: UNTs to Indian Creek and Laurel Run, classified for the following use: CWF. The potable water supplies with intakes within 10 miles downstream from the point of discharge: Indiana Creek Valley Water Authority and Municipal Authority of Westmoreland County. Application received: January 26, 2007.

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

33070101 and NPDES Permit No. PA0258253. P. and N. Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767). Commencement, operation and restoration of a bituminous surface strip operation in Oliver Township, **Jefferson County** affecting 53.6 acres. Receiving streams: UNT to Hadden Run and Little Elk Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application to include a land use change from forestland to pastureland on lands of George & Patti LaCroix. Application received: January 25, 2007.

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

17070102 and NPDES No. PA0256480. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Commencement, operation and restoration of a bituminous surface mine in Girard Township, **Clearfield County**, affecting 95.5 acres. Receiving streams: Bald Hill Run and UNTs to Bald Hill Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 17, 2007.

17000109 and NPDES No. PA0242985. Kenneth K. Rishel & Sons (1229 Turnpike Avenue, Clearfield, PA 16830). Revision of an existing bituminous surface mine to add acres to the permit in Lawrence Township, **Clearfield County**, affecting 25.0 acres. Receiving streams: UNT No. 2 to Orr's Run to the West Branch of the Susquehanna River, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 1, 2007.

17040107 and NPDES No. PA0243817. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Revision of an existing bituminous surface mine to add additional acres and a road variance in Girard Township, **Clearfield County**, affecting 147.5 acres. Receiving streams: UNTs to Deer Creek and Deer Creek. There are no potable water supply intakes within 19 miles downstream. Application received: January 11, 2007.

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

49910201R3. Rosini Enterprises, Inc. (P. O. Box 568, Shamokin, PA 17872), renewal of an anthracite coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 68.0 acres, receiving stream: none. Application received: January 25, 2007.

<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			
pH ¹		greater than 6.0; less than 9.0	

¹ The parameter is applicable at all times.

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

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

52970301C3 and NPDES Permit No. PA0223751. G.F. Edwards, Inc. (Box 174, Elmhurst, PA 18416). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Greene Township, **Pike County** affecting 105.56 acres, receiving stream: Wallenpaupack Creek, classified for the following use: CWF. Application received: January 19, 2007.

7874SM2A1C6 and NPDES Permit No. PA0612880. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034). Renewal and correction of NPDES Permit for discharge of treated mine drainage in North Whitehall Township, **Lehigh County**, receiving stream: Coplay Creek, classified for the following use: CWF. Application received: January 25, 2007.

45900303C2 and NPDES Permit No. PA0595279. Middle Smithfield Materials, Inc. (P. O. Box 674, Bushkill, PA 18324). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Middle Smithfield Township, **Monroe County**, receiving stream: Suise Creek, classified for the following use: CWF. Application received: January 30, 2007.

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

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:

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E09-907. County Line Storage, Inc., 13131 R. Townsend Road, Philadelphia, PA 19154, Warminster Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with a proposed public storage facility:

1) To relocate approximately 338 linear feet of a UNT of Southampton Creek (TSF-MF) around a proposed public storage facility, by enclosing the stream within 325 linear feet of various pipe segments. The stream enclosure will consist of Headwall No. 6, 8 LF of 36" Pipe, manhole No. 5, 44 LF of 36" Pipe, manhole No. 4, 189 LF of 36" Pipe, manhole No. 3, 63 LF of 36" Pipe, manhole No. 2, 7 LF of 36" Pipe, Endwall No. 1 and associated stilling basin.

2) To place fill within approximately a 320 linear-foot reach of abandoned channel

3) To place fill within 0.10 acre of adjacent wetland (PFO).

The applicant proposes to construct 0.18 acre of onsite wetland replacement to compensate for wetland losses associated with this project. The wetland replacement will enlarge an existing wetland area with minor grading and the diversion of water from the stream enclosure at manhole No. 3, routed through 78 LF of 15" Pipe, to an outfall adjacent to the proposed wetland.

The project is located along County Line Road approximately 700 feet southeast of the intersection of County Line Road and Centennial Road (Hatboro, PA USGS Quadrangle N: 9.1 inches, W: 10.9 inches).

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

E40-666. Robert and Helen Roderick, R. R. 1, Box 301A, Harveys Lake, PA 18618, in Harveys Lake Borough, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To modify and maintain an existing pile-supported boathouse and dock in Harveys Lake (HQ-CWF) with work consisting of a 60 SF addition to the boathouse and a 184 SF addition to the dock structure. The total surface area of the modified pile-supported structure will be approximately 1,345 SF and it will extend out 44.8 feet from the shoreline. The project is located on the eastern side of the lake between pole Nos. 39 and 40. (Harveys Lake, PA Quadrangle N: 20.9 inches; W: 4.1 inches).

E13-157. John and Kimberly Ciavarella, P. O. Box 93, Lake Harmony, PA 18624, in Penn Forest Township, **Carbon County**, United States Army Corps of Engineers, Philadelphia District.

To authorize the "after-the-fact" placement of fill in 0.15 acre of wetlands within the mud run watershed (HQ-CWF). The project is located on the east side of Bishop Circle approximately 100 feet south of Tennyson Circle within the Towamensing Trails residential subdivision. (Pocono Mountain, PA Quadrangle N: 21.8 inches; W: 10.8 inches).

E35-401. North Pocono School District, 701 Church Street, Moscow, PA 18444, in Covington Township, **Lackawanna County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstruction and encroachments associated with the New North Pocono High School Project: 1. (Crossing A) To construct and maintain a road crossing of a tributary to Roaring Brook (HQ-CWF), consisting of a 52-foot long, 4-foot by 8-foot concrete box culvert with concrete wingwalls; 2. (Crossing B) To construct and maintain a road crossing of a tributary to Roaring Brook (HQ-CWF), consisting of a 53-foot long, 30-inch diameter corrugated metal aluminized type 2 pipe with a riprap apron and a concrete headwall and endwall; 3. (Crossing C) To construct and maintain a road crossing of a tributary to Roaring Brook (HQ-CWF) and 0.023 acre of adjacent EV wetlands consisting of a 53-foot long, 30-inch diameter corrugated metal aluminized type 2 pipe with a riprap apron and a concrete headwall and endwall; 4. (Crossing D) To construct and maintain a road crossing of a tributary to Roaring Brook (HQ-CWF), consisting of a 66-foot long, 36-inch diameter corrugated metal aluminized type 2 pipe with a riprap apron and a concrete headwall and endwall;

5. (Crossing E) To construct and maintain a road crossing of 0.0197 acre of EV wetlands within the Roaring Brook Watershed; 6. (Crossing F) To construct and maintain a road crossing of a tributary Roaring Brook (HQ-CWF), consisting of a 73-foot long, 18-inch diameter reinforced concrete pipe; and 7. (Crossing G) To construct and maintain a road crossing of a tributary Roaring Brook (HQ-CWF), consisting of a 74-foot long, 15-inch smooth-lined corrugated plastic pipe with a riprap apron. The project is located on the east side of SR 0435 and SR 0502 intersection.

E45-499. DEPG Stroud Associates, 625 Ridge Pike, Suite A-107, Conshohocken, PA 19428 in Stroud Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in approximately 0.48 acre of wetland for the purpose of constructing a commercial shopping center including a number of structures, parking lots, entrance ways and stormwater system. The project is located on SR 0611 approximately 0.5 mile east of the Bartonsville exit from I-80 (Saylorsburg, PA Quadrangle N: 22.5 inches; W: 1.7 inches).

E45-498. J.P. Ertle Development, LTD, R. R. 2, Box 30 Silver Spring Boulevard, Kunkletown, PA 18058-99604 in Stroud and Hamilton Townships, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a channel change having a length of 485 feet in a tributary to Pocono Creek (HQ-CWF) that is associated with the construction of a retail shopping center known as the Shoppes at Crossroads. The project is located at the intersection of SR 0611 and SR 0033, near the Bartonsville exit on I-80 (Mount Pocono, PA Quadrangle N: 0.2 inches; W: 2.1 inches)

E45-500. Raymond Johns, 45 Furber Avenue, Linden, NJ 07036, in Tobyhanna Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in approximately 0.003 acre of PEM wetlands for the purpose of constructing a single-family dwelling on Lots 7 and 8, Block A-100, Section 3 of Arrowhead Lakes residential community. The project is located along Lake Shore Drive on the northwestern side of Arrowhead Lake (Thornhurst, PA Quadrangle N: 5.4 inches; W: 10.6 inches).

E48-378. Bath Supply Company, Inc., 457 Race Street, Bath, PA 18014 in Bath Borough, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain an 8-inch diameter stormwater outfall structure in the floodway of Monocacy Creek (HQ-CWF). The work is associated with a warehouse addition to the existing Bath Supply Company plumbing supply business located west of the intersection of Union Street and Barber Street (Catasauqua, PA Quadrangle N: 18.2 inches; W: 2.9 inches).

E48-379. Slate Hills Enterprises, Inc., 6 Mount Bethel Plaza, Mount Bethel, PA 18343, in Plainfield Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in an abandoned 5-acre water-filled, slate quarry in order to eliminate a safety hazard. The project is located in the Greenwalk Creek watershed and is located on the east side of Bangor Junction Road (Bangor, PA Quadrangle N: 22.7 inches; W: 16.0 inches).

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

E06-617: Birdsboro Municipal Authority, 202 East Main Street, Birdsboro, PA 19508, ACOE Philadelphia District.

To construct and maintain a 1,205.0-foot long, 5.0-foot wide dike with 3 to 1 side slopes in the floodplain of Hay Creek (CWF, MF) and the Schuylkill River (WWF), a 24.0-inch DIP outfall pipe with a riprap apron and a concrete endwall through the existing Schuylkill River Dike, and to install a 12.0-inch HDPE pipe for the purpose of enclosing a drainage ditch (Birdsboro, Quadrangle: Latitude: 40° 16' 07" Longitude: 75° 48' 15", N: 3.5 inches, W: 7.6 inches) located off of Amorcast Road in the Borough of Birdsboro, **Berks County**.

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

E49-293. Moran Industries, 202 E. Seventh Street, Watsontown, PA 17777. Warehouse Construction in Floodway, in Watsontown Borough, **Northumberland County**, ACOE Baltimore District (Milton, PA Quadrangle Latitude 41° 5' 27.9"; Longitude 76° 51' 57.2").

The applicant proposes to operate and maintain 1.2 acres of fill in the floodway. The fill consists of a concrete loading area and a small portion of the warehouse building. The permit application also proposes to construct, operate and maintain a stream bank-regrading project on Spring Run. The project consists of laying the banks back to a slope of 2:1 for 225 linear feet downstream of Mathew Street to the terminal point at the railroad crossing. The banks of Spring Run shall be lined with R-5 riprap and all additional disturbed area shall be permanently stabilized with seed and mulch. Spring Run is designated as a WWF and no wetland impacts are authorized with this permit. This project is located one block north on Mathew Street from the intersection with Eighth Street in the Borough of Watsontown, Northumberland County.

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

E32-479. Department of Transportation, Engineering District 10-0, 2550 Oakland Avenue, Indiana, PA 15701. To construct numerous culverts in the Conemaugh River in East and West Wheatfield Townships, **Indiana County**, Pittsburgh ACOE District. (beginning from Bolivar, PA Quadrangle, N: 7.08 inches and W: 1.02 inches and Latitude 40° 27' 12"—Longitude 79° 8' 38"; and ending New Florence, PA Quadrangle, N: 6.87 inches and W: 3.64 inches and Latitude 40° 26' 58"—Longitude 79° 2' 58"). The applicant proposes to construct and maintain: a 250 ft. long 36 inch diameter culvert, a 290 ft. long 30 inch diameter culvert, a 236 ft. long 36 inch diameter culvert, and a 360 ft. long 36 inch diameter culvert in UNTs to the Conemaugh River; a 84 ft. long 24 inch diameter culvert, and a 272 ft. long 36 inch diameter culvert in UNTs to Blacklick Creek; a 260 ft. long 30 inch diameter culvert in a UNT to the West Branch Richards Run; a 128 ft. long 24 inch diameter culvert in a UNT to the East Branch Richards Run; a 184 ft. long 30 inch diameter culvert in a UNT to Ramsey Run; a 139 ft. long 42 inch diameter extension to an existing 197 ft. long 3 ft. by 3 ft. box culvert in a UNT to Blacklick Creek; a 135 ft. long 42 inch diameter extension to an existing 130 ft. long 4 ft. by 3 ft. box culvert in a UNT to the West Branch of

Richards Run; 810 ft. of stream relocation to a UNT of Blacklick Creek; and 170 ft. of stream relocation in a UNT of West Branch Richards Run. In addition 0.38 acre of wetlands will be filled and maintained; 340 ft. of existing culverted stream channel will be opened in a UNT to Blacklick Creek; 170 ft. of existing culverted stream will be opened in a UNT to West Branch Richards Run; and construction and maintenance of road associated stormwater outfalls. All streams are 25 Pa. Code Chapter 93 CWF and all drainage areas are less than 37 acres. Replacement wetlands have already been constructed at the AMD and Art Demonstration Project in Vintondale. Stream mitigation includes completed stream bank and crossing fencing at various farms. This project is associated with the larger, phased SR 0022 relocation and improvement work with this section (Section 494) starting approximately 5 miles east of Blairsville and extending east 4.5 miles located in West Wheatfield and East Wheatfield Townships.

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

E10-426, Robert Ferree, Bottled Lightning, LP, 4848 Route 8, Allison Park, PA 15101. Brush Creek Commons Project, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 40° 40' 32"; W: 80° 06' 04").

To place and maintain fill at a depth up to 6-feet within the regulated floodway along the left bank of a tributary to Brush Creek (WWF) for a length of approximately 380 feet for the construction of an office building, parking lots, and the like. The site is west of Emeryville Drive and east of the Turnpike I-76, approximately 630 feet north of the Allegheny County line.

An area of 0.08 acre wetland was filled during prior construction and will be mitigated onsite as part of this project.

E42-327, Catalyst Energy, Inc., 800 Cranberry Woods Drive, Suite 290, Cranberry Township, PA 16066. Moody Lot 65 Wells 60 and 63 Gathering Lines, in Lafayette Township, **McKean County**, ACOE Pittsburgh District (Lewis Run, PA Quadrangle N: 41, 51', 20.35"; W: 78, 37', 49.6").

To install by means of directional drilling and maintain 2-inch diameter natural gas pipelines across Railroad Run (EV) and a tributary to Railroad Run (EV) serving as gathering lines from gas wells being drilled on the Moody Lot 65 parcel approximately 750 feet southwest of the intersection of Big Shanty Road and Droney Road.

DAM SAFETY

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

D63-089D. Eighty-Four Mining Company, 1525 Pleasant Grove Road, Claysville, PA 15323. To modify, operate and maintain the existing slurry impoundment at the Mine No. 84 site. Work includes increasing the maximum dam height and operating pool elevation at the Pond No. 6 facility, extending the impoundments service life for continued mining operations. (Hackett, PA Quadrangle N: 4.3 inches; W: 9.0 inches) in Somerset Township, **Washington 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

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

<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>
PA00556511	Barry and Kristen Eves 47 Bishop Road Pottstown, PA 19465	Chester County East Coventry Township	UNT to Pigeon Creek Watershed 3D	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived 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>
PA0012203 Renewal	Allen Organ Company 150 Locust Street Macungie, PA 18062-0036	Lehigh County Macungie Borough	Swabia Creek 02C	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0063479 Renewal	P & S Development Co. 2268 South 12th Street Allentown, PA 18103	Salem Township Wayne County	01C UNT to West Branch Wallenpaupack Creek	Y
PA0043362 (Minor Sewage)	Union Lake Hotel t/a Camp Equinunk/Blue Ridge P. O. Box 808 East Hampton, NY 11937	Wayne County Manchester Township	UNT of Little Equinunk Creek 1-A	Y
PA-0061069 (Minor Industrial Waste)	Schott North America, Inc. 400 York Avenue Duryea, PA 18642-2036	Duryea Borough Luzerne County	Lackawanna River 5A	Y

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

NPDES Permit No. PA0083186, Sewage, **HMS Host, Pennsylvania Turnpike/Travel Plazas, Sideling Hill Service Plaza**, P. O. Box 8, Middletown, PA 17057. This proposed facility is located in Taylor Township, **Fulton County**.

Description of Proposed Action/Activity: Authorization to discharge to a dry swale to Lick Branch Wooden Bridge Creek in Watershed 12-C.

NPDES Permit No. PA0083607 Amendment No. 1, Sewage, **Union Township**, 3111 SR 72, Jonestown, PA 17038. This proposed facility is located in Union Township, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to discharge to Forge Creek in Watershed 7-D.

NPDES Permit No. PA0084816, Industrial Waste, **Sunoco Pipeline, LP, Montello Pump Station**, 525 Fritztown Road, Sinking Spring, PA 19608. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to the Cacoosing Creek in Watershed 3-C.

NPDES Permit No. PA0246972, CAFO, **Weiler Farms Partnership, Weiler Farm No. 3**, 350 East Mill Avenue, Myerstown, PA 17067. This proposed facility is located in Union Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate an 817-AEU swine operation located in Watershed 7-D.

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

Amplified Final Public Notice for NPDES Permit No. PA0101656, Industrial Waste, **Dominion Transmission, Inc.—Big Run Division V Wastewater Treatment Plant**, 654 Carson Hill Road, Luthersburg, PA 15848.

This notice reflects changes from the notice published at 36 Pa. B. 6431 (October 21, 2006).

The discharge from the treatment facility was renamed Internal Outfall 101 and the discharge from the groundwater collection system was added as Internal Outfall 201. The combined discharges from Internal Outfalls 101 and 201 are now referred to as Outfall 001.

The new water quality based effluent limits for cadmium contained in the draft permit were replaced with monitoring.

The nondetectable limit for acrylamide monomer was replaced with numerical limits calculated based on the CRL criterion for this parameter. A special condition specifying a test method that may be used to demonstrate compliance with these limits was also added.

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. 1500422, Sewerage, Amendment and Renewal, **West Bradford Township**, 1385 Campus Drive, Downingtown, PA 19335. This proposed facility is located in West Bradford Township, **Chester County**.

Description of Action/Activity: Additions of spray zones 6—8 to existing permit.

WQM Permit No. 0905411, Transfer, **Telford Borough Authority**, 122 Penn Avenue, Telford, PA 18969. This proposed facility is located in Telford Borough, **Bucks and Montgomery Counties**.

Description of Action/Activity: a 8" and 10" gravity sewer and associated appurtenances to allow the transfer of flow from 641 EDU's to the Pennridge Wastewater Treatment Facility from the Telford Borough Authority.

WQM Permit No. 0906410, Sewerage, **Wrightstown Township**, 738 Penns Park Road, Wrightstown, PA 18940. This proposed facility is located in Wrightstown Township, **Bucks County**.

Description of Action/Activity: The proposed Chapman Corners Subdivision a 46 single-family homes wastewater treatment will be accomplished using a MBR and will discharge to a UNT of Neshaminy Creek.

WQM Permit No. 4606408, Sewerage, **Borough of Royersford**, 300 Main Street, Royersford, PA 19468. This proposed facility is located in Upper Providence Township, **Montgomery County**.

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

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

WQM Permit No. 5406403, Cressona Borough Authority, 55 South Sillyman Street, Cressona, PA 17929. This proposed facility is located in Cressona Borough, **Schuylkill County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit.

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

WQM Permit No. 0606407, Sewerage, Bethel Township Municipal Authority, P. O. Box 24, Bethel, PA 19507. This proposed facility is located in Bethel Township, **Berks County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewerage facilities consisting of a new 0.205 mgd extended aeration wastewater treatment plant with denitrification and a new sanitary sewer system with two new pump stations with a design peak instantaneous flow rate capacity of 0.3075 mgd.

WQM Permit No. 4406401, Sewerage, Lewistown Borough, Two East Third Street, Lewistown, PA 17044-1799. This proposed facility is located in Lewistown Borough, **Mifflin County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of gravity sewer to direct flow to the proposed pump station; a submersible duplex chopper pump station; force main from the pump station beneath Kishacoquillas Creek to an existing manhole.

WQM Permit No. 0606409, Sewerage, Township of Tilden, 874 Hex Highway, Hamburg, PA 19528. This proposed facility is located in Tilden Township, **Berks County**.

Description of Proposed Action/Activity: Permit approves the construction and operation of sewerage facilities consisting of sanitary sewage collection system to include approximately 2,400 feet of 8-inch diameter sewers, submersible pump stations and 6,000 feet of 6-inch diameter force main, 1,700 feet of 4-inch diameter force main. Emergency generators are provided for each pump station.

WQM Permit No. 0607201, CAFO, Michael Werner, Joe Jurgielewicz & Son, Ltd., P. O. Box 257, Shartlesville, PA 19554. This proposed facility is located in Tilden Township, **Berks County**.

Description of Proposed Action/Activity: Permit approval for auxiliary manure and residual waste impoundments at their home farm.

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

WQM Permit No. 1171402-A3, Sewerage, Portage Area Sewer Authority, 606 Cambria Street, Portage, PA 15946. This existing facility is located in Portage Township, **Cambria County**.

Description of Proposed Action/Activity: Permit amendment issuance to replace existing Portage Sewage Treatment Plant.

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

WQM Permit No. WQG018519, Sewerage, Mary M. and William C. Anderson, 248 Daugherty Run Road, Warren, PA 16365. This proposed facility is located in Conewango Township, **Warren County**.

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

WQM Permit No. WQG018514, Sewerage, Sam Colosimo Jr., 204 Constance Drive, McKees Rocks, PA 15136. This proposed facility is located in Harmony Township, **Forest County**.

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

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

WQM Permit No. 3306201, Industrial Waste, Dominion Transmission, Inc., P. O. Box 2450, Clarksburg, WV 26302-2450. This proposed facility is located in Henderson Township, **Jefferson County**.

Description of Proposed Action/Activity: Modification and operation of an existing oil and gas wastewater treatment facility.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

Northeast Region: Watershed 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>
PAI024804042	Wagner Enterprises, Ltd. P. O. Box 3154 Easton, PA 18043	Northampton	Bethlehem City	Saucon Creek HQ-CWF
PAI024806002	Ean Sussick & Sons Construction, Inc. 724 South Delps Road Bath, PA 18014	Northampton	Plainfield Township	Bushkill Creek HQ-CWF

Northwest Region: Watershed 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>
PAI063706002	Frank Kempf Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Lawrence	Little Beaver Township New Beaver Borough Big Beaver Borough	Jordan Run UNT Jordan Run Honey Creek UNT Honey Creek Beaver Dam Run UNT Beaver Dam Run UNT North Fork Little Beaver All 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 Small Flow Treatment Facilities
- PAG-5 General Permit for Discharges From Gasoline Contaminated Groundwater Remediation Systems
- PAG-6 General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
- 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 Concentrated Animal Feeding Operations (CAFOs)
- PAG-13 Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

General Permit Type—PAG-01

Facility Location:

<i>Municipality & County</i>	<i>Approval No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Brokenstraw Township Warren County	6295001	Gas and Oil Management Associates, Inc. 601 Rouse Avenue Youngsville, PA 16371	Brokenstraw Creek CWF	Northwest Regional Office Oil and Gas Management 230 Chestnut Street Meadville, PA 16335 (814) 332-6860

General Permit Type—PAG-02

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Archbald Borough Lackawanna County	PAG2003507003	David Stafursky 502 Main Street Archbald, PA 18403	Charles Creek CWF	Lackawanna Co. Cons. Dist. (570) 281-9495
Kingston Township Luzerne County	PAG2004006049	Frank Nockley 3 Genoa Lane Shavertown, PA 18708	Tributary to Toby Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
City of Scranton Lackawanna County	PAG2003506029	Karl Pfeiffenberger 222 Mulberry Street P. O. Box 431 Scranton, PA 18501-0431	Lackawanna River CWF	Lackawanna Co. Cons. Dist. (570) 281-9495

<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>
Mahoning Township Carbon County	PAG2001306008	Thomas Beltz 179 Airport Road Lehighton, PA 18235	Mahoning Creek CWF	Carbon Co. Cons. Dist. (610) 377-4894
East Penn Township West Penn Township Carbon County	PAG2001306009	Bill Teel, Jr. 390 Forest Inn Road Lehighton, PA 18235	Lizard Creek TSF	Carbon Co. Cons. Dist. (610) 377-4894
Mount Pleasant Township Adams County	PAG2000106027	Randy Baker, Pres. Happy Ramblers Motorcycle Club 4340 Hanover Road Hanover, PA 17331	Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Menallen Township Adams County	PAG2000106040	David Rice Rice Fruit Company, Inc. P. O. Box 66 Gardners, PA 17324	UNT to Oppossum Creek TSF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
South Lebanon Township Lebanon County	PAG2003806038	Cornwall—Lebanon School District 105 East Evergreen Road Lebanon, PA 17042	Quittapahilla Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 4
Union Township Lebanon County	PAG2003806026	Alan Love Love's Travel Stop and Country Store 10601 N. Pennsylvania P. O. Box 26210 Oklahoma City, OK 73126	Forge Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 4
Swatara Township Lebanon County	PAG2003806037	Jeffrey Werner 897 N. Lancaster Street Jonestown, PA 17038	UNT to Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 4
Hamilton Township Franklin County	PAG2002807001	Dominion Transmission 445 Sest Main Street Clarksburg WV 26301	UNT Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5
Antrim Township Franklin County	PAG2002806085	Antrim Township Government Center P. O. Box 130 Greencastle PA 17225	UNT to Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5
Washington Township Franklin County	PAG2002806051	Glen Oaks 100 Colonial Way West Chester, PA 19382	Antietam Creek WWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5

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<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>
Hamilton Township Franklin County	PAG2002809076	Ross & Steinberger Subdivision 50 N. Schoolhouse Road Thomasville, PA 17364	Dennis Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5
Washington Township Franklin County	PAG2002906001	Martin's Hill 290 Seaks Run Road Glen Rock, PA 17327	Antietam Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5
Greene Township Franklin County	PAG2002805094	Beacon of Greene Estates Robert Miller 24 Buckingham Way Freehold, NJ 07728	Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5
Washington Township Franklin County	PAG2002806048	Johnny Knepper Estates R. Lee Royer 10764 Buchanan Trail E Waynesboro, PA 17268	West Branch of Antietam Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5
Guilford Township Franklin County	PAG20028060561	CSX Intermodal 301 W. Bay Street 54 800 Jacksonville, FL 32202	Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5
Quincy Township Franklin County	PAG2002806025	Mentzer Meadows Phase 2 Paul Gunder 9938 Mentzer Gap Road Waynesboro, PA 17268	UNT to Antietam Creek WWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5
East Lampeter Township Lancaster County	PAG2003606057	Ben Stoltzfus 2603 Lincoln Highway Ronks, PA 17572	UNT to Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd Room 200 Lancaster, PA 17601 (717) 299-5361 Ext. 5
Manchester Township York County	PAG2006706067	2645 Blackthorne Court Keith Hamberger 1732 W. King Street York, PA 17404	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Lower Swatara Township Dauphin County	PAG2002206066	Lawrence P. Wasser Phoenix Contact 586 Fulling Mill Road Middletown, PA 17057	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Swatara Township Dauphin County	PAG2002206060	Federal Express Corporation Steven Fluharty 4310 Williamsburg Road Unit 8 Hurlock, MD 21643	Laurel Run	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018

<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>
Swatara Township Dauphin County	PAG2002206051	Feldman Mall Properties, Inc. 1-83 and Paxton Street Harrisburg, PA 17111	UNT to Spring Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Bedford Township Bedford County	PAG2000506013	Bedford Township Municipal Authority P. O. Box 371 Bedford, PA 15522	UNT to Dunning Creek WWF	Bedford County Conservation District 702 West Pitt Street Suite 3 Fairlawn Court Bedford, PA 15522
Exeter Township Berks County	PAG2000606043	James Clouser 301 Wegman Road Reading, PA 19606	UNT to Owatin Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
South Lebanon Township Lebanon County	PAG2003806025	Cliff Weaver Landmark Builders, Inc. 1656 West Main Street Ephrata, PA 17522	Quittapahilla Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 4
East Hanover Township Lebanon County	PAG2003806022	Gary Marks Generation Enterprises 1594 Colonial Drive Lebanon, PA 17046	Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 4
North Annville Township Lebanon County	PAG2003806027	John and Lucinda Yutzy 170 Clear Spring Road Annville, PA 17003	UNT Quittapahilla Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 4
West Manchester Township York County	PAG2006706105	Penntown Properties 118 Carlisle Street Beechwood Center Hanover, PA 17331	Honey Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Newberry Township York County	PAG2006706078	JAGMEG, LP Subdivision Michael Garman 95 Haldeman Avenue New Cumberland, PA 17070	Fishing Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAG2006706101	Grandview Plaza Paul Burkentine Penn State Inv. Prop. 330 Dubbs Church Road Hanover, PA 17331	Furnace Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fermanagh Township Juniata County	PAG2033406003	Groninger Farms, LLP P. O. Box 36 Mexico, PA 17056	Horning Run CWF	Juniata CCD R. R. 5, Box 35 Stoney Creek Drive Mifflintown, PA 17059

<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>
North Middleton Township Cumberland County	PAG2002105039(1)	Clubhouse at Lehmans Crossing Al Hughes 1300 Market Street Lemoyne, PA 17043	Conodoguinet Creek WWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
West Hanover Township Dauphin County	PAG2002205010(1)	Andrew S. Williams Lexington Partners 303 N. Progress Avenue Harrisburg, PA 17110	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Conewago Township Dauphin County and Mount Joy Township Lancaster County	PAG2002206073	Fred Kay P & K, LLC 132 Walnut Valley Court Wrightsville, PA 17368	Brills Creek TSF and Conewago Creek TSF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
South Hanover Township Dauphin County	PAG2002206049	David Carll Milton Hershey School 1201 Homestead Lane Hershey, PA 17033	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Carroll Township Perry County	PAG2035006006	Edward L. Stoner 629 Losh Road Shermans Dale, PA 17090	Shermans Creek WWF	Evan Ticehurst Perry County Conservation District 31 West Main Street P. O. Box 36 New Bloomfield, PA 17068 (717) 582-5119
Millerstown Borough Perry County	PAG2035007001	Ed Burn Greenwood School District 405 East Sunburry Street Millerstown, PA 17062	Juniata River WWF	Evan Ticehurst Perry County Conservation District 31 West Main Street P. O. Box 36 New Bloomfield, PA 17068 (717) 582-5119
Penn Township Wheatfield Township Perry County	PAG2035006007	Micheal Gillespie Department of Transportation Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Shermans Creek WWF	Evan Ticehurst Perry County Conservation District 31 West Main Street P. O. Box 36 New Bloomfield, PA 17068 (717) 582-5119
Muhlenberg Township Berks County	PAG2000606093	Teresa Haught Muhlenberg School District 801 Bellevue Avenue Laureldale, PA 19605	Laurel Run WWF-CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201

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

<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>
Centre County Potter Township	PAG2001406026	Valley Business Associates Sinking Creek Subdivision P. O. Box 901 State College, PA 16804	Sinking Creek CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lycoming County Penn Township	PAG2004107001	Slavatore Nicosia, Jr. 180 Walker Drive Spring Mills, PA 16875 David Wells Williams Gas Pipeline—Transco 2800 Post Oak Boulevard Houston, TX 77056	Gregs Run CWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Somerset County Conemaugh Township	PAG2005606011	DL Development Group, LLC 129 Norlin Drive Davidsville, PA 15928	Stonycreek River CWF	Somerset County CD (814) 445-4652
Washington County Peters Township	PAG2006307003	Peters Creek United Presbyterian Church 250 Brookwood Road Venetia, PA 15367	UNT to Brush Run WWF	Washington County CD (724) 228-6774
Washington County City of Washington	PAG2006307009	Redevelopment Authority of the County of Washington 100 West Beau Street Suite 603 Washington, PA 15301 <i>Co-permittee:</i> Lone Pine Construction 83 Lusk Road Bentleyville, PA 15314	Catfish Creek WWF	Washington County CD (724) 228-6774
Clarion County Toby Township	PAG2061606009	Brian Allen Department of Transportation 2550 Oakland Avenue Indiana, PA 15701	UNT Cherry Run CWF UNT Wildcat Run CWF	Department of Environmental Protection—NWRO (814) 332-6984
Venango County Barkeyville Borough	PAG2006106006	Glenn O. Hawbaker, Inc. Grove City Asphalt Plant Barkeyville Industrial Park Harrisville, PA 16038	Slippery Rock Creek CWF	Venango Conservation District (814) 676-2832

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Macungie Township Lehigh County	PAR232206	BASF Construction Chemicals, LLC 23700 Chagrin Boulevard Allentown, PA 18106	Lehigh River	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511

<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>
Lancaster County East Hempfield Township	PAR123553	Kellogg USA, Inc. 2050 State Road Box 3006 Lancaster, PA 17604	Swarr Run TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County West Hempfield Township	PAR123514	Land O Lakes/Purina Feed, LLC 3029 Hempland Road Lancaster, PA 17601-1309	UNT West Branch Little Conestoga Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County Bedford Township	PAR113552	JLG Industries, Inc. (Sunnyside Facility) 1 JLG Drive McConnellsburg, PA 17233	Raystown Branch Juniata River TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Fulton County Ayr Township	PAR113553	JLG Industries, Inc. (Service Plus Mid-Atlantic and Military Support Center) 1 JLG Drive McConnellsburg, PA 17233	UNT of Big Cove Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Town of Bloomsburg Columbia County	PAR204819	Kawneer Company, Inc. P. O. Box 380 Bloomsburg, PA 17815	Neals Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Port Vue and Liberty Boroughs Allegheny County	PAR606107	ELG Metals, Inc. 369 River Road McKeesport, PA 15132	Dutch Run and Youghiogheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
City of Erie Erie County	PAR208353	Accuride Corporation 129 Marc Drive Cuyahoga Falls, OH 44223	Erie municipal sewers to Presque Isle Bay and Outer Erie Harbor—Lake Erie	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

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>
Upper Salford Township Montgomery County	PAG040061	Sterling and Amanda Fitzer 2144 Old Skippack Pike Harleysville, PA 19438	UNT to Vaughns Run Watershed 3-E	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Limerick Township Montgomery County	PAG040064	Ralph W. Owens 208 Neiffer Road Schwenksville, PA 19473	Mine Run Watershed 3-E Perkiomen	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Lehigh Township Northampton County	PAG042219	Jonathan Lee Alexander 986 Woodland Drive Walnutport, PA 18088	UNT to Bertsch Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

*Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAG049313	Mary M. and William C. Anderson 248 Daugherty Run Road Warren, PA 16365	UNT Daugherty Run 16B	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
PAG049308	Sam Colosimo, Jr. 204 Constance Drive McKees Rocks, PA 15136	UNT to Allegheny River 16-F	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
PAG048434	David M. and Lisa A. Starr 9451 Donation Road Waterford, PA 16441	UNT to Walnut Creek 15-WC	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
PAG048461	Harry L. Evanoff 9324 Thelma Drive Erie, PA 16510	UNT to Four Mile Creek 15-FM	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
PAG048458	James A. Becker, Sr. 13096 Scott Road Waterford, PA 16441-9625	UNT to LeBoeuf Creek 16-A	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

*Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAG050075	American Auto Wash, Inc. 512 East King Road Malvern, PA 19355-3045	Ridley Creek by means of Storm Sewer	Southeast Regional Office 2 East Main Street Norristown, PA 19401
PAG056218	Former Balzert Automotive 313 Crestview Drive Pittsburgh, PA 15209	Girty's Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
PAG058374	Erie Petroleum, Inc. Stateline BP 1502 Greengarden Road Erie, PA 16502	UNT to Twenty Mile Creek 15	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-6

*Facility Location &
Municipality*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAG066105	Borough of Rankin 320 Hawkins Avenue Rankin Borough, PA 15104	Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8 (SSN)

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Greenwich Township Berks County	PAG-08-0002/0005/ 0011/0013/0017/ 0018/3522/3551	Jesse Baro, Inc. 4 Quarry Road Douglasville, PA 19518	Dietrich/Baver Farm Greenwich Township Berks County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Fariview and Warrington Townships York County	PAG-08-3592	Upper Allen Township 100 Gettysburg Road Mechanicsburg, PA 17055	Traver Farm Fairview and Warrington Townships York County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

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

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

Permit No. 1506505, Public Water Supply.

Applicant	Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Township	West Caln

County	Chester
Type of Facility	PWS
Consulting Engineer	Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106
Permit to Construct Issued	February 1, 2007

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

Permit No. 2450063 Operations Permit, Public Water Supply.

Applicant	Pennsylvania American Water Company (PAWC) 800 West Hersheypark Drive Hershey, PA 17033 Coolbaugh Township
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County	Monroe County
Type of Facility	PWS
Consulting Engineer	William J. Malos, P. E. PAWC 100 Pennsylvania Avenue Wilkes-Barre, PA 18701
Permit to Operate Issued	1/23/07

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

Operations Permit issued to: **Aqua Pennsylvania, Inc.**, 3060030, Robeson Township, **Berks County** on 1/29/2007, for the operation of facilities approved under Construction Permit No. 0601511.

Operations Permit issued to: **The York Water Company**, 7670100, Jackson Township, **York County** on 2/2/2007, for the operation of facilities approved under Construction Permit No. 6706510.

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

Permit No. 4905501—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 and Grubic,
 Inc.
 369 East Park Drive
 Harrisburg, PA 17111-2730
 Permit Issued Date February 5, 2007
 Description of Action Operation of the recently
 constructed manganese
 greensand pressure filtration
 plant, including potassium
 permanganate and post-sodium
 hypochlorite feed systems.

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

Operations Permit issued to: **Lower Indiana
 County Municipal Authority**, 92 Main Street, Black
 Lick, PA 15716, (PWSID No. 5320028) Burrell Township,
Indiana County on January 31, 2007, for the operation
 of facilities approved under Construction Permit No.
 3206502.

Permit No. 8821-W-T3, Minor Amendment. Public
 Water Supply.

Applicant **Bay Valley Foods, LLL**
 1080 River Avenue
 Pittsburgh, PA 15212
 Borough or Township City of Pittsburgh
 County **Allegheny**
 Type of Facility Water system transfer
 Consulting Engineer
 Permit to Operate January 31, 2007
 Issued

Permit No. 8821-W-A1-T3, Minor Amendment. Pub-
 lic Water Supply.

Applicant **Bay Valley Foods, LLL**
 1080 River Avenue
 Pittsburgh, PA 15212
 Borough or Township City of Pittsburgh
 County **Allegheny**
 Type of Facility Water system transfer
 Consulting Engineer
 Permit to Operate January 31, 2007
 Issued

Permit No. 8382-W-T3, Minor Amendment. Public
 Water Supply.

Applicant **Bay Valley Foods, LLL**
 1080 River Avenue
 Pittsburgh, PA 15212
 Borough or Township City of Pittsburgh
 County **Allegheny**
 Type of Facility Water system transfer
 Consulting Engineer
 Permit to Operate January 31, 2007
 Issued

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

Permit No. 1006502, Public Water Supply

Applicant **Cranberry Village Mobile
 Home Park**
 Township or Borough Cranberry Township
 County **Butler County**
 Type of Facility Public Water Supply
 Permit to Construct 02/01/2007
 Issued

Operations Permit issued to: **North Warren Mu-
 nicipal Authority**, PWSID No. 6620028, Conewango
 Township, **Warren County**. Permit Number A-626-MA4,
 issued February 1, 2007, for the operation of the trans-
 mission and distribution lines along SR 0062 (Warren-
 Jamestown Road) to Farm Colony Industrial Park, as
 approved under construction permit Number A-626-MA-4,
 dated August 18, 2000.

WATER ALLOCATIONS

**Actions taken on applications received under the
 act of June 24, 1939 (P. L. 842, No. 365) (35 P. S.
 §§ 631—641) relating to the acquisition of rights
 to divert waters of the Commonwealth.**

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

WA4-739A, Water Allocations. Borough of Baden, 149
 State Street, Baden, PA 15005, Baden Borough, **Beaver
 County**. The right to purchase 500,000 gallons of water
 per day, as a peak month, 30-day average, from the
 Borough of Ambridge Water Authority.

SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under Section 5 of the
 Pennsylvania Sewage Facilities Act, Act (35 P. S.
 § 750.5).**

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

Plan Location:

<i>Project Applicant</i>	<i>Project Applicant's Address</i>
Porter-Tower Joint Municipal Authority	860 West Grand Avenue Tower City, PA 17989

<i>Project Location (Municipality)</i>	<i>Project Location (County)</i>
Tower City Borough and Porter Township	Schuylkill

Plan Description: The approved plan provides for the Porter-Tower Joint Municipal Authority to repair and rehabilitate its sewer system located in Porter Township and Tower City Borough, Schuylkill County. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this project.

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:

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

Saucon Valley Condos, Hellertown Borough, **Northampton County**. Vincent M. Carbone, P. G., HDR Engineering, Inc., 609 Hamilton Mall, The Sovereign Building, Allentown, PA 18101-2111 has submitted a Final Report (on behalf of his client, Abraham Atiyeh, Brookside Commercial Construction Co., Inc., 1177 6th Street, Whitehall, PA 18052) concerning the remediation of soils

found to have been impacted by arsenic as a result of historic operations. The report was submitted to document attainment of the residential Statewide Health Standard for soils. The proposed future use of the site will be for residential housing. A public notice regarding the submission of the final report was published in *The Morning Call* on December 20, 2006.

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

Serta Mattress Company, East Hempfield Township, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543, on behalf of Serta Mattress Company, 18 Prestige Lane, P. O. Box 4623, Lancaster, PA 17604-4623, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to the residential Statewide Health Standard.

Former Brownstown Restaurant, West Earl Township, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543, on behalf of Ernie Capezzi, 23 Warwick Road, Lititz, PA 17543-8580, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from a removed underground storage tank. The report is intended to document remediation of the site to the residential Statewide Health Standard.

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

Former Pickelner Fuel Company, Inc., Loyalsock Township, **Lycoming County**. D & A Environmental, Inc., 120 N. Abington Road, Clarks Summit, PA 18411 on behalf of Pickelner Fuel Company, Inc., 210 Locust Street, Williamsport, PA 17701 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Royal Galla Transport Rt. 15 Accident Site, Liberty Township, **Tioga County**, Environmental Solutions, 67 Frid Street, Unit 5, Hamilton, Ontario, L8P 4M3, Canada on behalf of Royal Galla Transport, 3615 Laird Drive, Mississauga, ON L5L 5Z8, Canada has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standard.

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:

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

Sunoco, Inc. Plymouth Pump Station, Jackson Township, **Luzerne County**. Lisa Strobridge, Project Manager, Aquaterra Technologies, Inc., P. O. Box 744, West Chester, PA 19381 has submitted a combined Remedial Investigation/Risk Assessment Report and Cleanup Plan (on behalf of her client Sunoco, Inc. (R&M), P. O. Box 1135, Post Road and Blueball Avenue, Marcus Hook, PA 19061) regarding the remediation of soils and groundwater found to have been contaminated with gasoline due to an accidental pipe line release. The combined reports propose that the final report will demonstrate attainment of the residential Statewide Health Standard and the Site-Specific Standard and were approved on January 30, 2007.

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

Swartz Estate, Camp Hill Borough, **Cumberland County**. CQS, Inc., 1061 North Mountain Road, Harrisburg, PA 17110, on behalf of Robert Pozner, Executor, Swartz Estate, 454 Stevens Avenue, Ridgeway, NJ 17450, resubmitted a Final Report concerning the remediation of site soils and groundwater contaminated with No. 2

heating oil. The final report demonstrated attainment of the residential Statewide Health Standard, and was approved by the Department on January 29, 2007.

Sindall Trucking Services, Inc., New Holland Borough, **Lancaster County**. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Sindall Trucking Services, Inc., 461 Diller Avenue, P. O. Box 165, New Holland, PA 17557, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with waste oil from a removed underground storage tank. The final report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 30, 2007.

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

County Squire Court Mobile Home Park, Woodward Township, **Lycoming County**. Pete Rummings, 21 Harbour Close, New Haven, CT 06519 has submitted a Final Report concerning remediation of site soil contaminated with fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 30, 2007.

SEDA-COG Joint Rail Authority Newberry Yard-South Site, City of Williamsport, **Lycoming County**. Marshall Miller & Assoc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011 on behalf of SEDA-COG Joint Rail Authority, 201 Furnace Road, Lewisburg, PA 17837 has submitted a combined Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with a separate phase liquid (SPL). The Remedial Investigation/Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 1, 2007

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Approved Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and residual waste regulations for a General Permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.

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

General Permit No. WMGR098D001. Donsco, Inc., P. O. Box 2100, Wrightsville, PA 17368. General Permit Number WMGR098D001 for the beneficial use of waste foundry sand and sand system dusts as a construction material, a soil additive or a soil amendment. Central Office approved the determination of applicability on January 31, 2007.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit No. 101628. Natural Soil Products, P. O. Box 283, Tremont, PA 17981. A permit modification authorizing a Permit Renewal, extending the permit term until April 15, 2017; a Permit Reissuance to change the permittee to Tully Environmental, Inc.; and other minor modifications for this municipal waste composting facility located in Frailey Township, **Schuylkill County**. The permit was issued by the Regional Office on February 2, 2007.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit ID No. 100620. Allied Waste Systems of Pennsylvania, LLC, 11 Boggs Road, P. O. Box 47, Imperial, PA 15126. Operation of a municipal waste landfill in Findlay Township, **Allegheny County**. Permit reissuance from BFI Waste Systems of North America, Inc. to Allied Waste Systems of Pennsylvania, LLC issued in the Regional Office on February 1, 2007.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Draft permits issued, revised or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

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

PA6213820503. Letterkenny Army Depot, 1 Overcash Avenue, Chambersburg, PA Letterkenny, Greene and Hamilton Townships, **Franklin County**. This permit application is for the open burning and open detonation of waste military munitions at Letterkenny Army Depot. The Department has completed its review of the permit application and has issued a draft permit on February 2, 2007. As required by 25 Pa. Code § 270a.80(d)(2), the Department is providing public notice of this action.

Persons wishing to comment on the draft permit are invited to submit a statement to the Southcentral Regional Office within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer; and a concise statement to inform the Regional Office of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this action will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

AIR QUALITY

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

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

40-323-016GP4: Trion Industries, Inc. (297 Laird Street, Wilkes-Barre, PA 18702) on January 31, 2007, to construct and operate two burn-off ovens and associated air cleaning devices in Wilkes-Barre, **Luzerne County**.

40-310-067GP3: Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on January 31, 2007, to construct and operate a portable stone crushing plant (Pegsons) and associated air cleaning device at the Lot 68 construction site in Hazle Township, **Luzerne County**.

40-310-068GP3: Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on January 31, 2007, to construct and operate a portable stone crushing plant (Nordberg) and associated air cleaning device at the Lot 68 construction site in Hazle Township, **Luzerne County**.

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

GP1-44-03012: Lewistown Hospital (400 Highland Avenue, Lewistown, PA 17044) on February 1, 2007, for Small Gas and No. 2 Oil Fired Combustion Units under GP1 in Derry Township, **Mifflin County**. This is a renewal of the General Permit.

GP7-28-03038: Regency Thermographers (725 Clayton Avenue, Waynesboro, PA 17268) on February 5, 2007, for Sheet-Fed Offset Lithographic Printing Press under GP7 in Waynesboro Borough, **Franklin County**.

GP7-67-03033E: The Sheridan Press (450 Fame Avenue, Hanover, PA 17331-9581) on February 5, 2007, for Sheet-Fed Offset Lithographic Printing Press under GP7 in Penn Township, **York County**.

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

GP3-14-09: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on January 18, 2007, to relocate and operate a portable nonmetallic mineral processing plant Under the "General Plan Approval And/Or General Operating Permit for Portable Nonmetallic Mineral Processing Plants" (BAQ-PGPA/GP-3) at the Home Depot construction site in Patton Township, **Centre County**.

GP11-14-05: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on January 18, 2007, to construct and operate a 425 horsepower diesel engine Under the "General Plan Approval And/Or General Operating Permit for Nonroad Engines" (BAQ-GPA/GP 11) at the Home Depot construction site in Patton Township, **Centre County**.

GP5-17-16: EOG Resources, Inc. (2039 South Sixth Street, Indiana, PA 15701) on January 23, 2007, to operate a 350 horsepower natural gas-fired reciprocating

internal combustion compressor engine equipped with a catalytic converter Under the "General Plan Approval and And/Or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Production Or Recovery Facilities" (BAQ-GPA/GP-5) at the Woytek Station in Bell Township, **Clearfield County**. This is a renewal.

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

GP5-03-00230: Dominion Peoples (1201 Pitt Street, Pittsburgh, PA 15221) on January 25, 2007, to operate two Caterpillar Model 3508 LE 633 Bhp Compressor Engines at the Belknap Compressor Station in Wayne Township, **Armstrong County**. This is a GP5 Renewal.

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.

15-0123: Century Cabinetry (220 Phillips Road, Exton, PA 19341) on January 31, 2007, to operate a paint line/thermal oxidizer in Uwchlan Township, **Chester County**.

23-0093A: Bryn Hill Industries, Inc. (Price and Pine Streets, Holmes, PA 19043) on January 31, 2007, to operate existing molded urethane foam in Yeadon Borough, **Delaware County**.

46-0254: Campania International, Inc. (2452 Quakertown Road, Pennsburg, PA 18073) on January 31, 2007, to operate a spray booth in Upper Hanover Township, **Montgomery County**.

46-0254A: Campania International, Inc. (2452 Quakertown Road, Pennsburg, PA 18073) on January 31, 2007, to operate a concrete casting in Upper Hanover Township, **Montgomery County**.

46-0254B: Campania International, Inc. (2452 Quakertown Road, Pennsburg, PA 18073) on January 31, 2007, to operate a steel silo in Upper Hanover Township, **Montgomery County**.

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

45-310-044: Tarheel Quarry, LLC (P. O. Box 185, Pocono Lake, PA 18347) on January 5, 2007, to modify a stone crushing operation and associated air cleaning device at their facility in Tobyhanna Township, **Monroe County**.

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

41-399-027A: Smurfit-Stone Container Enterprises, Inc. (P. O. Box 3097, Williamsport, PA 17701) on January 2, 2007, to modify a paperboard/plastic film gluing operation in Porter Township, **Lycoming County**.

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

26-00563A: ST Paper LLC (1555 Glory Road, Green Bay, WI 54303) on January 26, 2007, to install a tissue

paper manufacturing plant at the industrial park of Uniontown, **Fayette County**. This plant will include a 90 mmBtu/hr natural gas fired package boiler, tissue machine with a burner, a Through Air Dried machine with a burner, a waste paper deinking/hydropulping system and a Venturi scrubber.

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

AMS 06021: Kinder Morgan Liquid Terminals, LLP (3300 North Delaware Avenue, Philadelphia, PA 19134) on February 2, 2007, to accept facility-wide HAP emission limits of 10 tons per rolling 12-month period for each individual HAP and 25 tons per rolling 12-month period combined HAPs in the City of Philadelphia, **Philadelphia County**. The plan approval will contain testing, monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

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.

46-0222A: Bostik, Inc. (1740 County Line Road, Huntingdon Valley, PA 19006) on January 31, 2007, to operate a new adhesive mixing vessel in Upper Moreland Township, **Montgomery County**.

46-0248: Pottstown Borough Authority (100 East High Street, Pottstown, PA 19464) on January 31, 2007, to operate a thermal fluid dryer in Pottstown Borough, **Montgomery County**.

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

36-03080A: Rohrer's Quarry (P. O. Box 365, 70 Lititz Road, Lititz, PA 17543) on January 26, 2007, to replace two 6-foot by 16-foot Hewitt Robins triple-deck screens with two 6-foot by 20-foot Metso Minerals triple-deck screens in Warwick Township, **Lancaster County**. This plan approval was extended.

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

18-315-001B: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) on February 2, 2007, to operate two modified paper machines and a modified adhesive application operation on a temporary basis until June 2, 2007, in Castanea Township, **Clinton County**. The plan approval has been extended.

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

04-00681B: Joseph J. Brunner, Inc. (211 Brunner Road, Zelenople, PA 16063) on January 24, 2007, for utility flare, enclosed flare air stripper, LES E-VAP at Brunner Landfill in New Sewickley Township, **Beaver County**. This is plan approval was extended.

65-302-071: Koppers Industries, Inc. (436 Seventh Avenue, Pittsburgh, PA 15219) on January 30, 2007, two

boilers at the Monessen Coke Works Station in Monessen Township, **Westmoreland County**. This plan approval was extended.

04-00033B: Nova Chemicals, Inc. (400 Frankfort Road, Monaca, PA 15061) on February 2, 2007, to allow additional time for reactor installation and testing in Potter Township, **Beaver County**. This plan approval was extended.

32-00040B: Reliant Energy Seward, LLC (121 Champion Way, Canonsburg, PA 15317) on January 2, 2007, to allow additional time to submit the update for the Title V Renewal Application at the Seward Power Station located in East Wheatfield Township, **Indiana County**. This plan approval was extended.

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

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

19-00001: Rieter Automotive North America Carpet (480 West Fifth Street, Bloomsburg, PA 17815) on January 23, 2007, to operate an automotive carpet manufacturing facility in the Town of Bloomsburg, **Columbia County**. This is a renewal.

55-00023: Kerrico Corp. (2254 Route 522, Selinsgrove, PA 17870) on January 30, 2007, to operate a cast polymer bathroom and kitchen vanity manufacturing facility in Penn Township, **Snyder County**.

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

V06-007: Trigen—Philadelphia Energy Corp.—Edison Station (908 Samson Street, Philadelphia, PA 19107) on January 29, 2007, to operate a steam and electric generating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 283 mmBtu/hr No. 6 fuel oil-fired (No. 2 fuel oil ignition) boilers, two 335 mmBtu/hr 6 fuel oil-fired (No. 2 fuel oil ignition), 4 cyclone separators, 300 KW diesel emergency generator, and a cold cleaner degreasing station.

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.

15-00023: Quality Park Products (2 Tabas Lane, Exton, PA 19341-2753) on January 31, 2007, a renewal for an envelope assembling and printing facility previously permitted as a Title V facility and will now operate under a State-Only permit in West Whiteland Township, **Chester County**. The previous permit was issued on 6-12-2001. The proposed operating permit renewal includes 20 flexographic presses and seven offset presses, many of which were addressed through the Department's RFD process and no plan approval was required. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

21-03003: Norfolk Southern Railway Co. (218 North Enola Road, Enola, PA 17025-2413) on January 30, 2007, for a natural minor operating permit renewal for Enola Diesel Shop in East Pennsboro Township, **Cumberland County**. This is a renewal of the State-only operating permit.

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

49-00027: Somerset Consolidated Industries, Inc. (Fifth and Ash Streets, Watsontown, PA 17777) on January 16, 2007, to operate an iron foundry (The Watsontown Foundry) in Delaware Township, **Northumberland County**.

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

63-00636: McGrew Welding and Fabricating, Inc. (30 South Washington Street, Donora, PA 15033) on January 27, 2007, to operate a surface coating operation, a conveyor system, barge unloading, coal storage piles, sand/gravel storage piles, paved/unpaved roads and material handling/truck unloading at their Donora Site in the borough of Donora, **Washington County**.

04-00222: A-Tops Corp. (1060 24th Street Ext., Beaver Falls, PA 15010-3668) on January 27, 2007, to operate an exfoliation furnace to expand raw vermiculite before it is air conveyed to a dropout chamber where the lighter material is separated from the grit by small cyclones at their facility in Beaver Falls, **Beaver County**.

65-00630: Mine Safety Appliances Co. (P. O. Box 428, Pittsburgh, PA 15230) on January 29, 2007, to operate a safety product manufacturing facility in Murrysville Borough, **Westmoreland County**.

11-00515: J-LOK Corp. (134 Pfeister Avenue, P. O. Box 187, Cresson, PA 16630) on January 23, 2007, to manufacture mine bolt resin cartridges designed for underground mine roof bolting at the Mine Bolt Resin Capsule Manufacturing Facility in Cresson Township, **Cambria County**.

32-00206: Amfire Mining Co., LLC (One Energy Place, Latrobe, PA 15650) on February 2, 2007, to operate the Clymer Tipple coal preparation plant in Cherryhill Township, **Indiana County**.

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

N04-005: Bartash Printing, Inc. (5400 Grays Avenue, Philadelphia, PA 19143) on February 6, 2007, to operate a printing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include five lithographic presses and one No. 2 oil fired emergency 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.

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

01-05016: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214-0914) on January 31, 2007, for their stone crushing and coloring facility in Hamiltonban Town-

ship, **Adams County**. This operating permit was administratively amended to incorporate Plan Approval 01-05016G. This is revision No. 1.

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

10-00023: Mercer Lime and Stone Co. (560 Branchton Road, Slippery Rock, PA 16057) on January 10, 2007, to modify the Title V Operating Permit for their lime products processing facility in Slippery Rock Township, **Butler County**. This modification is to incorporate synthetic minor emission limits for one date eligible source, so that the facility will fall under the Best Available Retrofit Technology applicability threshold. The combined NOx and SOx emissions from Source ID: 111—Rotary Kiln have been limited to no more than 249 tpy for each pollutant.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

Permit No. 56773708 and NPDES Permit No. NA. Miller Springs Remediation Management, Inc., (2480 Fortune Spring Drive, Suite 300, Lexington, KY 40509-4168). To renew the permit for the Strayer coal Refuse Disposal Area in Conemaugh Township, **Somerset County** for reclamation/water treatment only. No additional discharges. Application received: August 8, 2006. Permit issued: January 30, 2007.

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

32010110. Alverda Enterprises, Inc. (P. O. Box 87, Alverda, PA 15710). Permit renewal for the continued operation and restoration of a bituminous surface mine in Pine Township, **Indiana County**, affecting 78.1 acres. Receiving streams: N/A. The permittee will use nondischarge alternatives for treated water classified for the following use: N/A. There are no potable water supply intakes within 10 miles downstream. Application received: October 12, 2006. Permit issued: January 30, 2007.

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

17060105 and NPDES Permit No. PA0256374. Allegheny Enterprises, Inc., (P. O. Box 333, Curwensville, PA 16833). Commencement, operation and restoration of a bituminous surface mine in Brady Township, **Clearfield County**, affecting 22.5 acres. Receiving Stream: Stump Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: May 16, 2006. Permit issued: January 22, 2007.

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

40041601. Stockton Anthracite, Inc., (P. O. Box 546, Hazleton, PA 18201). Commencement, operation and restoration of an anthracite coal preparation plant operation in Hazle Township, **Luzerne County** affecting 183.0 acres, receiving stream: none. Application received: March 1, 2004. Permit issued: January 31, 2007.

Noncoal Permits Actions

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

26062810. Fayette Coal and Coke, Inc., (2611 Memorial Boulevard, Connellsville, PA 15425). Permit for commencement, operation and reclamation to a small noncoal surface mine, located Georges Township, **Fayette County**, affecting 5.6 acres. Receiving stream: UNT to York Run, classified for the following use: WWF. Application received: December 20, 2006. Permit issued: February 2, 2007.

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

25060802. Fredrick W. Shrunk (11500 Damsite Road, North East, PA 16428). Commencement, operation and restoration of a small noncoal sand and gravel operation in North East Township, **Erie County** affecting 5.0 acres. Receiving streams: UNT to Twelve Mile Creek. Application received: October 10, 2006. Permit Issued: January 26, 2007.

33060805. Elmer A. Sprankle, Jr. (1495 Route 310, Reynoldsville, PA 15851). Commencement, operation and restoration of a small noncoal shale operation in McCalmont Township, **Jefferson County** affecting 5.0 acres. Receiving streams: UNT to Big Run. Application received: December 26, 2006. Permit issued: January 30, 2007.

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

28040301. Charles E. Brake, Inc., (P. O. Box 275, St. Thomas, PA 17252). Commencement, operation, and restoration of a quarry operation in St. Thomas Township, **Franklin County** affecting 10.59 acres, receiving stream: none. Application received: December 13, 2004. Permit issued: January 30, 2007.

58050840. Robert Cooley, (R. R. 2, Box 154, Kingsley, PA 18826). Commencement, operation and restoration of a quarry operation in Dimock Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: May 18, 2006. Permit issued: January 30, 2007.

580608057. Mary Rzepecki, (R. R. 7, Box 7243, Montrose, PA 18801). Commencement, operation, and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: July 20, 2006. Permit issued: January 30, 2007.

58060823. Litts and Sons Stone Co., Inc., (R. R. 3, Box 3310, Moscow, PA 18444). Commencement, operation, and restoration of a quarry operation in Oakland Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: March 30, 2006. Permit issued: January 31, 2007.

58060870. Litts and Sons Stone Co., Inc., (R. R. 3, Box 3310, Moscow, PA 18444). Commencement, operation, and restoration of a quarry operation in Oakland Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: October 11, 2006. Permit issued: January 31, 2007.

7175SM1C10 and NPDES Permit No. PA0613827. Penny Supply, Inc., (P. O. Box 3331, Harrisburg, PA 17105). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in South Hanover Township, **Dauphin County**, receiving stream: Swatara Creek. Application received: December 20, 2006. Renewal issued: February 1, 2007.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P. S. §§ 151—161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

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

28074104. David H. Martin Excavating, Inc., (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for church development in Greene Township, **Franklin County**. Blasting activity permit end date is January 18, 2008. Permit issued: January 22, 2007.

21074013. Newville Construction Service, Inc., (408 Mohawk Road, Newville, PA 17241-9424). Blasting activity permit issued for residential development in South Middleton Township, **Cumberland County**. Blasting activity permit end date is January 30, 2008. Permit issued: January 24, 2007.

28074107. David H. Martin Excavating, Inc., (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for cemetery development in Antrim Township, **Franklin County**. Blasting activity permit end date is January 24, 2012. Permit issued: January 25, 2007.

28074108. David H. Martin Excavating, Inc., (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for cemetery development in Antrim Township, **Franklin County**. Blasting activity permit end date is January 24, 2012. Permit issued: January 25, 2007.

28074109. David H. Martin Excavating, Inc., (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for cemetery development in Guilford Township, **Franklin County**. Blasting activity permit end date is January 24, 2012. Permit issued: January 25, 2007.

28074110. David H. Martin Excavating, Inc., (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for cemetery development

in Greene Township, **Franklin County**. Blasting activity permit end date is January 24, 2012. Permit issued: January 25, 2007.

28074105. David H. Martin Excavating, Inc., (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for cemetery development in Guilford Township, **Franklin County**. Blasting activity permit end date is January 24, 2012. Permit issued: January 25, 2007.

28074106. David H. Martin Excavating, Inc., (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for cemetery development in Antrim Township, **Franklin County**. Blasting activity permit end date is January 24, 2012. Permit issued: January 25, 2007.

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

65074002. Demtech, Inc., (65 Bald Mountain Road, Dubois, WY 82513). Blasting activity permit for demolition of the Wendel Road bridge, located in Hempfield Township, **Westmoreland County**, with an expected duration of blasting for 2 days. Blasting activity permit issued: January 29, 2007.

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

62074001. Minard Run Oil Co. (609 South Avenue, P. O. Box 18, Bradford, PA 16701). Blasting activity permit for gas and oil exploration in Mead Township, **Warren County**. This blasting activity permit will expire on August 1, 2007. Application received: January 23, 2007. Permit issued: January 26, 2007.

62074002. Otter Exploration, Inc., (104 College Street, Hudson, OH 44236). Blasting activity permit for gas and oil exploration in Cherry Grove Township, **Warren County**. This blasting activity permit will expire on August 1, 2007. Application received: January 23, 2007. Permit issued: January 26, 2007.

62074003. Otter Exploration, Inc. (104 College Street, Hudson, OH 44236). Blasting activity permit for gas and oil exploration in Cherry Grove Township, **Warren County**. This blasting activity permit will expire on August 1, 2007. Application received: January 23, 2007. Permit issued: January 29, 2007.

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

15074102. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422). Construction blasting for Vincent Meadows in East Vincent Township, **Chester County** with an expiration date of January 1, 2008. Permit issued: February 1, 2007.

35074101. Austin Powder Company, (25800 Science Park Drive, Cleveland, OH 44122). Construction blasting for Glenmaura in Moosic Borough, **Lackawanna County** with an expiration date of January 28, 2008. Permit issued: February 1, 2007.

36074109. TJ Angelozzi, Inc., (7845 Kabik Court, Woodbine, MD 21797). Construction blasting for Hawthorne Ridge in Lancaster Township, **Lancaster County** with an expiration date of January 26, 2008. Permit issued: February 1, 2007.

36074110. J. Roy's, Inc., (Box 125, Bowmansville, PA 17507). Construction blasting for Lancaster County Country Club Golf Course in Manheim Township, **Lancaster**

County with an expiration date of January 1, 2008. Permit issued: February 1, 2007.

45074103. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507). Construction blasting for Upper Deer Valley Road Project in Jackson Township, **Monroe County** with an expiration date of December 31, 2007. Permit issued: February 1, 2007.

45074104. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431). Construction blasting for Vigon International in Smithfield Township, **Monroe County** with an expiration date of January 29, 2008. Permit issued: February 1, 2007.

45074106. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092). Construction blasting for Sanofi Pasteur Development in Pocono Township, **Monroe County** with an expiration date of January 30, 2008. Permit issued: February 1, 2007.

46074104. J. Roy's, Inc., (Box 125, Bowmansville, PA 17507). Construction blasting for North Penn Park View Warehouse in Lansdale Borough, **Montgomery County** with an expiration date of January 1, 2008. Permit issued: February 1, 2007.

46074105. Austin Powder Company, (25800 Science Park Drive, Cleveland, OH 44122). Construction blasting for Windlestrae Development in New Hanover Township, **Montgomery County** with an expiration date of January 26, 2008. Permit issued: February 1, 2007.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E48-364. Wagner Enterprises, Ltd., P. O. Box 3154, Easton, PA 18043. City of Bethlehem, **Northampton County**, United States Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments: 1) an 8-inch diameter sanitary sewer line in Saucon Creek; 2) a 48-inch diameter stormwater outfall structure and associated energy dissipator in the floodway of Saucon Creek; and 3) to remove an existing 30-inch diameter stormwater outfall structure and replace it with a 6-inch diameter and a 14-inch by 23-inch elliptical stormwater outfall pipe and associated energy dissipator in the floodway of Saucon Creek. The project is located on Fire Lane adjacent to Saucon Park (Hellertown, PA Quadrangle N: 18.4 inches; W: 13.6 inches).

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

E14-486. Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 26301. Cove Point DTI Pipelines and Centre County Compressor Station, in Harris Township, Potter Township, Spring Township, Boggs Township, Snowshoe Township and Curtin Township of **Centre County**, ACOE Baltimore District (from Barrville, PA Quadrangle, Latitude 40° 43' 43.7", Longitude 77° 43' 35" to Snow Shoe NE, PA Quadrangle, Latitude 41° 10' 47.5"; Longitude 77° 49' 37.7").

To construct, operate and maintain: 1) 69 stream crossings and 71 wetland crossings while constructing 34 miles of new 24-inch diameter gas transmission pipeline, for the most part parallel to an existing Texas Eastern pipeline, located in; 2) a 4.23-acre wetland replacement area to compensate for 3.21 acres of permanently converted forested to emergent wetlands. The 4.23-acre

wetland replacement area will involve 2.96 acres of constructed wetlands and 1.27 acres of wetland enhancement identified as the Bald Eagle II mitigation site. The mitigation site is divided into two parcels on the same property. Field 1 is located west of the access road to the property (Bellefonte PA Quadrangle, Latitude 40° 55' 7.27"; Longitude 77° 51' 6.58") and Field 2 is located east of the access road (Bellefonte PA Quadrangle, Latitude

40° 55' 13.22"; Longitude 77° 50' 48.83"). Impacts from the construction of the wetland replacement area include a temporary stream and wetland crossing, and a permanent impact of 0.03 acre of palustrine emergent wetlands for the construction of a berm.

The following table summarizes the impacts by permit category for all stream and wetland crossings:

<i>Stream Crossing Type</i>	<i>Quantity</i>	<i>Waiver</i>	<i>GP-5</i>	<i>GP-8</i>	<i>Chapter 105</i>
Access Road	20	480 ft.	N/A	969 ft.	N/A
Pipeline	41	2,042 ft.	2,198 ft.	N/A	395 ft.
Groundbed	7	133 ft.	12 ft.	N/A	0
Mitigation Area	1			15 ft	
Total	69	3,050 ft.	2,210 ft	969 + 15 ft.	395 ft.

Wetland Crossing Type

Access Road	29	N/A	N/A	0.52 Ac.	0
Pipeline	37	N/A	1.34 Ac.	N/A	5.71 Ac.
Mitigation Area	5	N/A	0.1	N/A	0.03
Total	71		1.44 Ac.	0.52 Ac.	5.74 Ac.

The following two tables list detailed stream and wetland crossings that require a 25 Pa. Code Chapter 105 permit authorization for the construction of the pipeline because the waterways were classified as exceptional value in 25 Pa. Code Chapter 93 and did not meet the criteria established in a general permit or waiver of permit:

<i>Crossing ID</i>	<i>Type</i>	<i>Impact (acres)</i>	<i>Latitude</i>	<i>Longitude</i>	<i>EV Status</i>
<i>Pipeline</i>					
WPA-KLF-025	PEM	0.01	40° 44' 42.5"	77° 43' 14.7"	EV
WPA-KLF-026	PEM	0.01	40° 44' 43.1"	77° 43' 14.3"	EV
WPA-KLF-027	PEM/PFO	1.52	40° 45' 12.7"	77° 42' 53.8"	EV
WPA-KLF-028	PEM	0.02	40° 45' 21.8"	77° 42' 42.2"	EV
WPA-KLF-029	PEM/PFO	0.28	40° 45' 29.4"	77° 42' 38.4"	EV
WPA-KLF-030	PEM	0.07	40° 45' 28.9"	77° 42' 41.4"	EV
WPA-GTR-001	PEM	0.8	40° 46' 21.9"	77° 42' 25.2"	EV
WPA-GTR-003	PEM	0.14	40° 47' 03.8"	77° 41' 48.3"	EV
WPA-GTR-005	PEM	0.64	40° 47' 06.6"	77° 41' 46.4"	EV
WPA-NAY-029	PEM/PFO/POW	0.06	40° 57' 16.5"	77° 45' 51.8"	Other (>10Ac)
WPA-NAY-026	PEM	0.04	40° 57' 23.3"	77° 45' 53.9"	EV
WPA-NAY-027	PEM	<0.01	40° 57' 28.9"	77° 45' 54.8"	EV
WPA-NAY-028	PEM	<0.01	40° 57' 40.1"	77° 46' 03.3"	EV
WPA-NAY-031	PEM	0.07	40° 58' 03.2"	77° 46' 17.5"	EV
WPA-NAY-032	PEM	0.22	40° 59' 02.2"	77° 46' 41.8"	EV
WPA-AES-002	PEM/PFO	0.07	41° 02' 47.1"	77° 47' 49.2"	EV
WPA-GTR-004	PEM/PFO	1.06	41° 04' 34.0"	77° 47' 59.7"	EV
WPA-KLF-005	PSS/PEM	0.11	41° 06' 48.0"	77° 48' 43.7"	EV
WPA-KLF-008	PEM	0.01	41° 07' 28.4"	77° 48' 48.5"	EV
WPA-KLF-012	PEM	0.5	41° 08' 42.9"	77° 49' 16.3"	EV
WPA-KLF-014	PEM	0.08	41° 09' 02.4"	77° 49' 18.9"	EV
Total		5.71		=(PEM = 2.61) + (PFO=2.99) + (PSS=0.11)	

<i>Crossing ID</i>	<i>Stream</i>	<i>Chapter 93</i>	<i>DA (mi²)</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Impact (ft.)</i>
<i>Pipeline</i>						
SPA-KLF-005	UNT Two Rock Run	EV	n/a	41° 08' 45.9"	77° 49' 17.2"	16
SPA-KLF-007	UNT West Branch Big Run	EV	n/a	41° 09' 52.7"	77° 49' 23.0"	264
SPA-KLF-008	UNT West Branch Big Run	EV	n/a	41° 10' 05.9"	77° 49' 26.5"	115
Total						395

The permanent impact to palustrine emergent wetlands is located at Field 2 of the Bald Eagle II property. The following table lists the individual encroachments necessary to complete construction of the wetland replacement area:

<i>Crossing ID</i>	<i>Type</i>	<i>Impact (Acres)</i>	<i>Latitude</i>	<i>Longitude</i>	<i>EV Status</i>
<i>Mitigation Area</i>					
WPA-BE-KF-002	PEM	0.007	40° 55' 12.6"	77° 50' 49.7"	Other
WPA-BE-KF-003	PEM	0.005	40° 55' 13.1"	77° 50' 48.8"	Other
WPA-BE-KF-004	PEM	0.006	40° 55' 13.6"	77° 50' 47.8"	Other
WPA-BE-KF-005	PEM	0.009	40° 55' 14.1"	77° 50' 46.2"	Other
Total		0.03			

The following stream crossings for access roads are eligible for a waiver in accordance with 25 Pa. Code § 105.12(a)(2) and are included in this permit:

<i>Crossing ID</i>	<i>Stream</i>	<i>Chapter 93</i>	<i>DA <100 Ac</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Impact (ft.)</i>
SPA-NAY-099	UNT Bald Eagle Creek	CWF	0.13	40° 57' 46.2"	77° 46' 8.42"	155
SPA-NAY-100	UNT Bald Eagle Creek	CWF	0.02	40° 57' 52.0"	77° 46' 25.33"	87
SPA-NAY-089	UNT Council Run	CWF	0.15	41° 04' 40.4"	77° 48' 16.3"	58
SPA-NAY-090	Pool	CWF	0.02	41° 04' 59.4"	77° 48' 25.66"	117
SPA-NAY-094	UNT Wallace Run	CWF	0.05	41° 00' 52.9"	77° 52' 12.31"	63
Total						480

The following stream crossings for pipeline and ground bed activities are eligible for a waiver in accordance with 25 Pa. Code § 105.12(a)(2) and are included in this permit:

<i>Pipeline</i>						
SPA-KLF-019	UNT Sinking Creek	CWF	0.022	41° 45' 21.2"	77° 42' 42.5"	76
SPA-GTR-001	UNT Galbraith Gap Run	HQ-CWF	0.104	41° 46' 21.8"	77° 42' 62.2"	114
SPA-GTR-009	UNT Sinking Creek	CWF	0.109	40° 47' 08.6"	77° 41' 45.8"	138
SPA-VRS-009	UNT Bald Eagle Creek	CWF	0.053	40° 56' 10.4"	77° 45' 37.1"	75
SPA-NAY-060	UNT Bald Eagle Creek	CWF	0.043	40° 57' 22.8"	77° 45' 54.0"	53
SPA-NAY-056	UNT Bald Eagle Creek	CWF	0.045	40° 57' 28.5"	77° 45' 55.6"	62
SPA-NAY-058	UNT Bald Eagle Creek	CWF	0.015	40° 57' 46.6"	77° 46' 07.9"	169
SPA-NAY-057	UNT Bald Eagle Creek	CWF	0.017	40° 57' 48.0"	77° 46' 09.0"	189
SPA-NAY-061	UNT Bald Eagle Creek	CWF	0.013	40° 58' 03.4"	77° 46' 17.4"	75
SPA-NAY-062	UNT Bald Eagle Creek	CWF	0.026	40° 58' 04.8"	77° 46' 18.4"	439
SPA-NAY-064	UNT Bald Eagle Creek	CWF	0.009	40° 58' 27.3"	77° 46' 31.8"	76

Pipeline

SPA-NAY-065	UNT Bald Eagle Creek	CWF	0.022	40° 59' 01.9"	77° 46' 42.0"	2
SPA-NAY-066	UNT Bald Eagle Creek	CWF	0.023	40° 59' 3.12"	77° 46' 42.5"	80
SPA-AES-001	Antis Creek	CWF	0.136	40° 59' 35.3"	77° 47' 5.11"	62
SPA-GTR-005	UNT Council Run	CWF	0.056	41° 04' 09.4"	77° 47' 50.1"	76
SPA-GTR-004	UNT Council Run	CWF	0.053	41° 04' 33.0"	77° 47' 59.9"	45
SPA-GTR-006	UNT Council Run	CWF	0.007	41° 04' 35.8"	77° 48' 0.50"	122
SPA-VRS-002	UNT Council Run	CWF	0.001	41° 05' 42.5"	77° 48' 22.3"	112
SPA-KLF-004	UNT Eddy Lick Run	CWF	0.025	41° 07' 28.7"	77° 48' 48.5"	77
Total						2,042

Groundbeds

SPA-MTD-002	UNT Sinking Creek	CWF	0.068	40° 45' 33.7"	77° 42' 38.0"	15
SPA-MTD-003	UNT Sinking Creek	CWF	0.012	40° 45' 35.1"	77° 42' 36.2"	22
SPA-MTD-004	UNT Sinking Creek	CWF	0.001	40° 45' 35.7"	77° 42' 35.5"	14
SPA-MTD-004A	UNT Sinking Creek	CWF	0.001	40° 45' 35.8"	77° 42' 35.2"	20
SPA-AES-001	Antis Run	CWF	0.128	40° 59' 35.1"	77° 47' 07.7"	12
GWPA-MTD-001	Groundwater Seep	CWF	<0.001	40° 45' 33.7"	77° 42' 38.42"	50
Total						133

The following Utility Line stream crossings, including groundbeds, meet the conditions for use of a General Permit GP-5 and are included in this permit:

<i>Crossing ID</i>	<i>Stream</i>	<i>Chapter 93</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Impact (Ft.)</i>
<i>Pipeline</i>					
SPA-KLF-017	Detweiler Run	HQ-CWF	40° 43' 43.7"	77° 43' 35.0"	91
SPA-KLF-018	Sinking Creek	CWF	40° 44' 43.2"	77° 43' 14.2"	109
SPA-KLF-020	Sinking Creek	CWF	40° 45' 21.2"	77° 42' 42.5"	76
SPA-KLF-022	Sinking Creek	CWF	40° 45' 21.2"	77° 42' 42.6"	166
SPA-WJW-001	UNT to GAP Run	CWF	40° 51' 33.2"	77° 42' 45.6"	75
SPA-VRS-010	UNT to Bald Eagle Creek	CWF	40° 56' 38.9"	77° 45' 43.1"	167
SPA-NAY-055	Bald Eagle Creek	TSF	40° 57' 11.6"	77° 45' 50.5"	50
SPA-NAY-059	UNT Bald Eagle Creek	CWF	40° 57' 40.7"	77° 46' 02.8"	334
SPA-AES-002	Little Marsh Creek	CWF	41° 00' 32.1"	77° 47' 11.0"	67
SPA-KDR-002	Marsh Creek	CWF	41° 02' 47.9"	77° 47' 49.23"	76
SPA-KDR-003	Marsh Creek	CWF	41° 02' 48.7"	77° 47' 49.3"	93
SPA-GTR-007	UNT to Council Run	CWF	41° 04' 4.2"	77° 47' 49.1"	157
SPA-VRS-001	UNT to Council Run	CWF	41° 05' 13.9"	77° 48' 03.1"	280
SPA-VRS-003	Council Run	CWF	41° 05' 51.6"	77° 48' 22.3"	112

<i>Crossing ID</i>	<i>Stream</i>	<i>Chapter 93</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Impact (Ft.)</i>
SPA-VRS-004	Beech Creek	CWF	41° 05' 55.7"	77° 48' 24.1"	76
SPA-VRS-006	Backwater—Beech Creek	CWF	41° 05' 55.7"	77° 48' 24.1"	34
SPA-KLF-001	Beech Creek	CWF	41° 06' 11.7"	77° 48' 33.1"	76
SPA-KLF-002	Beech Creek	CWF	41° 06' 46.3"	77° 48' 42.3"	80
SPA-KLF-003	Eddy Lick Run	CWF	41° 06' 50.4"	77° 48' 43.6"	79
				Total	1,464

<i>Ground Beds</i>					
SPA-MTD-001	Laurel Run	CWF	41° 02' 50.1"	77° 47' 52.9"	12
				Total	12

The following is a list of all temporary wetland crossings for access roads that meet the criteria for use of a general permit GP-8 and are included in this permit:

<i>Crossing ID</i>	<i>Wetland Type</i>	<i>EV Status</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Impact (ft.)</i>
<i>Access Roads</i>					
WPA-NAY-041	PFO	Other	40° 44' 44.0"	77° 43' 08.0"	0.02
WPA-NAY-040	PEM	EV	40° 57' 52.16"	77° 46' 25.66"	0.01
WPA-NAY-039	PEM/POW	EV	40° 03' 0.40"	77° 46' 26.2"	0.01
WPA-NAY-037	PEM	Other	40° 05' 6.40"	77° 50' 14.5"	0.01
WPA-NAY-038	PEM	Other	40° 04' 31.7"	77° 50' 18.6"	0.02
WPA-VRS-005	PEM	Other	41° 05' 29.2"	77° 48' 3.6"	0.01*
WPA-VRS-006	PFO/PEM	Other	41° 05' 47.8"	77° 48' 25.3"	0.01
WPA-VRS-007	PFO/PEM	Other	41° 05' 48.17"	77° 48' 25.2"	0.01
WPA-VRS-028	PEM	Other	41° 06' 27.3"	77° 48' 19.6"	0.02
WPA-VRS-027	PEM/POW	Other	41° 06' 52.0"	77° 47' 47.1"	0.01
WPA-VRS-026	PEM	Other	41° 06' 53.1"	77° 47' 48.9"	0.01
WPA-VRS-025	PEM	Other	41° 06' 55.5"	77° 47' 50.4"	0.02
WPA-VRS-024	PEM	Other	41° 07' 24.9"	77° 48' 17.5"	0.01
WPA-VRS-023	PEM/POW	Other	41° 07' 49.5"	77° 48' 15.8"	0.05
WPA-VRS-022	PEM/POW	EV	41° 07' 50.4"	77° 48' 15.0"	0.01
WPA-VRS-021	PEM/POW	Other	41° 08' 03.6"	77° 47' 47.5"	0.02
WPA-VRS-020	PEM	Other	41° 08' 20.8"	77° 47' 43.3"	0.03
WPA-VRS-019	PEM	Other	41° 08' 30.1"	77° 47' 37.1"	0.01
WPA-VRS-018	PEM	Other	41° 09' 03.7"	77° 48' 04.2"	0.01
WPA-VRS-017	PEM	Other	41° 09' 12.3"	77° 48' 59.7"	0.01*
WPA-VRS-016	PEM	Other	41° 09' 13.2"	77° 49' 01.1"	0.01
WPA-VRS-015	PEM	Other	41° 09' 13.5"	77° 49' 02.0"	0.01*
WPA-VRS-014	PEM	Other	41° 09' 12.8"	77° 49' 01.1"	0.01
WPA-VRS-013	PEM	Other	41° 09' 13.2"	77° 49' 01.8"	0.01
WPA-VRS-012	PEM	Other	41° 09' 13.0"	77° 49' 02.2"	0.01
WPA-VRS-011	PEM	Other	41° 09' 29.2"	77° 49' 01.3"	0.01
WPA-VRS-009	PEM	Other	41° 06' 31.1"	77° 48' 47.9"	0.01
WPA-VRS-008	PEM	Other	41° 06' 31.3"	77° 48' 48.4"	0.02
WPA-VRS-029	PEM	Other	41° 08' 20.5"	77° 48' 54.0"	0.12
Total					(* = impacts rounded up to the nearest 0.01) 0.52

The following is a list of all temporary road crossings for access roads that meet the criteria for use of a general permit GP-8 and are included in this permit:

<i>Crossing ID</i>	<i>Stream</i>	<i>Chapter 93</i>	<i>DA (sq. mi²)</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Impact</i>
<i>Access Roads</i>						
SPA-NAY-102	UNT Standing Stone	HQ-CWF	2.44	40° 43' 21.1"	77° 42' 02.2"	55
SPA-NAY-095	UNT Little Marsh Creek	CWF	0.42	41° 01' 28.0"	77° 49' 12.4"	55
SPA-NAY-096	UNT Marsh Creek	CWF	0.27	41° 03' 0.11"	77° 47' 2.53"	50
SPA-NAY-098	UNT Marsh Creek	CWF	0.56	41° 02' 59.7"	77° 46' 25.5"	50
SPA-NAY-088	UNT Council Run	CWF	0.45	41° 04' 19.3"	77° 48' 7.59"	151
SPA-VRS-018	UNT Beech Creek	CWF	0.18	41° 06' 58.4"	77° 48' 38.7"	116
SPA-NAY-103	Sinking Creek	CWF	3.26	40° 45' 36.0"	77° 42' 31.6"	23
SPA-NAY-091	UNT Council Run	CWF	1.71	40° 05' 25.9"	77° 49' 07.8"	17
SPA-NAY-092	Council Run	CWF	3.38	40° 05' 26.6"	77° 49' 8.6"	50
SPA-NAY-093	Rock Run	EV	N/A	40° 03' 28.0"	77° 50' 16.6"	50
SPA-VRS-014	Council Run	CWF	4.19	41° 05' 46.7"	77° 48' 25.16"	67
SPA-VRS-015	Council Run	CWF	4.15	41° 05' 40.7"	77° 48' 27.17"	11
SPA-VRS-016	Two Rock Run	EV	N/A	41° 07' 50.4"	77° 48' 14.75"	52
SPA-VRS-017	UNT Two Rock Run	EV	N/A	41° 07' 52.3"	77° 48' 13.15"	148
SPA-VRS-019	UNT Two Rock Run	EV	N/A	41° 08' 28.3"	77° 48' 33.09"	72
SPA-BE-KF-001	UNT Bald Eagle Creek	CWF	N/A	41° 55' 7.17"	77° 50' 59.77"	2
Total						969

The following is a list of all wetland crossings for utility lines that meet the criteria for use of a general permit GP-5 are included in this permit:

<i>Crossing ID</i>	<i>Type</i>	<i>Impact (acres)</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Type</i>
<i>Pipeline</i>					
WPA-GTR-006	PEM	0.62	40° 47' 16.5"	77° 41' 40.9"	Other
WPA-WJF-001	PEM	0.04	40° 52' 24.1"	77° 43' 1.8"	Other
WPA-WJW-002	PEM	0.22	40° 52' 27.8"	77° 43' 2.5"	Other
WPA-NAY-030	PEM	0**	40° 57' 20.1"	77° 45' 53.9"	Other
WPA-AES-003	PEM	0.01	41° 02' 50.2"	77° 47' 48.8"	Other
WPA-KLF-001	PEM	0.07	41° 07' 56.1"	77° 48' 59.6"	Other
WPA-KLF-002	PEM	0.07	41° 07' 0.00"	77° 48' 33.8"	Other
WPA-KLF-003	PEM/PSS	0.03	41° 06' 13.3"	77° 48' 34.9"	Other
WPA-KLF-006	PEM	0.01	41° 06' 49.8"	77° 48' 44.4"	Other
WPA-KLF-007	PSS	0.01	41° 06' 50.6"	77° 48' 43.0"	Other
WPA-KLF-009	PEM	0.01*	41° 07' 33.1"	77° 48' 49.8"	Other
WPA-KLF-010	PEM/PFO	0.14	41° 07' 33.5"	77° 48' 51.2"	Other
WPA-KLF-011	PEM/PFO	0.07	41° 07' 34.6"	77° 48' 49.1"	Other
WPA-KLF-013	PEM	0.02	41° 08' 47.3"	77° 49' 17.7"	Other
WPA-KLF-015	PEM	0.01*	41° 09' 11.0"	77° 49' 16.7"	Other
WPA-KLF-016	PEM	0.03	41° 09' 12.1"	77° 49' 16.9"	Other
WPA-BE-KF-001	PEM	0.10	40° 55' 6.99"	77° 51' 1.13"	Mitigation
Total					1.44

* = rounded to 0.01, ** = Direction drilling under wetland at Bald Eagle Crossing

Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. This permit also will authorize construction, operation, maintenance and removal of temporary construction crossings, causeways, stream diversions and cofferdams. All temporary structures shall be constructed of clean rock that is free of fines; and upon completion of construction activities, all temporary structures shall be removed with disturbed areas being restored to original contours and elevations. If upon investigation the Department determines the gas transmission line approved by this permit is serving to degrade water quality, stream profile, meander pattern or channel geometries, then the permittee shall be required to implement all measures necessary to mitigate the degradation.

E17-416. Houtzdale Municipal Authority, 561 Kirk Street, Houtzdale, PA 16651-1209. Moshannon Creek and Henderson Area Water System Improvements, Bigler, Gulich and Woodward Townships and Brisbin and Houtzdale Borough, **Clearfield County**, ACOE Baltimore District (Tipton, PA Quadrangle N: 20.8 inches; W: 16.3 inches).

To construct, operate and maintain a surface water intake, monitoring weirs, raw water transmission lines and treated drinking water distribution lines to extend and supplement the Houtzdale Municipal Authority's existing public drinking water supplies. Construction of the surface water intake, raw water transmission lines and treated drinking water distribution lines will result in four stream and two wetland impacts that are as follows:

<i>Stream/Wetland</i>	<i>Structure</i>	<i>Stream Classification</i>	<i>Latitude</i>	<i>Longitude</i>
Moshannon Creek	Surface Intake	HQ-CWF	40° 44' 21"	78° 22' 5"
Moshannon Creek	Monitoring Weir	HQ-CWF	40° 44' 48"	78° 22' 20"
Moshannon Creek	Utility Line Crossing	TSF	40° 47' 17"	78° 20' 20"
Morgan Run	Utility Line Crossing	CWF	40° 51' 17"	78° 24' 32"
Moshannon Creek Wetland	Surface Intake	HQ-CWF	40° 44' 21"	78° 22' 5"
Moshannon Creek Wetland	Utility Line Crossing	TSF	40° 47' 17"	78° 20' 34"

All raw water transmission and treated drinking water distribution lines shall be installed beneath streambeds so there will be a minimum of 3-feet of cover between the top of the pipe and the lowest point in the streambed or concrete encased. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. Construction of the surface water intake and monitoring weir shall be conducted during stream low flow and in dry work conditions by dams and pumping or fluming stream flow around work area. Since Moshannon Creek is a WTS, no construction or future repair work of the surface intake and monitoring weir shall be done in or along the stream channel between October 1 and December 31 without the prior written approval of the Pennsylvania Fish and Boat Commission. The project is located along eastern right-of-way of SR 0153 approximately 1.2-miles east of Woodward Township Road T-650 and SR 0153. If upon investigation the Department determines the monitoring weir across Moshannon Creek is serving to degrade water quality, stream pattern, stream profile or stream geometry, permittee shall remove monitoring weir or design and implement measures that fully mitigates degradation.

E17-420. Mid-East Oil Company, P. O. Box 1378, Indiana, PA 15701. Bark Camp Run-South Road Crossing, in Huston Township, **Clearfield County**, ACOE Baltimore District (Penfield, PA Quadrangle Latitude: 41° 10' 44"; Longitude: 78° 34' 50").

To operate and maintain a private road crossing Bark Camp Run that will provide access for natural gas exploration and extraction. The road crossing shall be operated and maintained with a minimum of three corrugated plastic culvert pipes with the central culvert pipe having a minimum diameter of 60 inches and the pipes on either side having a minimum diameter of 36 inches. All rock used for maintenance on the road crossing and its approaches shall be clean, non-polluting rock free of fines. The project is located along the southern right-of-way of SR 0255 approximately 1.44 miles east of Bark Camp Run Road and SR 0255 intersection. This

permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E17-427. Game Commission, Northcentral Regional Office, P. O. Box 5038, 1566 South Route 44 Highway, Jersey Shore, PA 17740-5038. Basin Run Portable Bridge Project, in Cooper Township, **Clearfield County**, ACOE Baltimore District (Frenchville, PA Quadrangle Latitude: 41° 02' 55"; Longitude: 78° 08' 01").

To construct, operate, maintain and remove, when deemed necessary, a single bridge across Basin Run that will provide public access to State Game Lands No. 100. The bridge shall be constructed and maintained with a minimum span of 80 feet and underclearance of 15 feet. The project is located along the eastern right-of-way of SR 1011 approximately 1.64 miles east of Cooper Township Road No. 730 and SR 1011 intersection. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E18-413. David W. Nickle, 420 South Fairview Street, Lock Haven, PA 17745-3404. Nickle Home, in Bald Eagle Township, **Clinton County**, ACOE Baltimore District (Beech Creek, PA Quadrangle N: 6.5 inches; W: 5.25 inches).

To construct, operate and maintain a 45 foot by 34.5 foot L-shaped private home elevated 8.4 feet above the ground in the left 100-year floodway of Bald Eagle Creek by ventilated cement block walls and a 10 foot by 10 foot at-grade concrete pad between the southern garage door and the gravel driveway located 135 feet east of the intersection of Crystal Beech Road and Aungst Lane. This permit was issued under Section 105.13(e) "Small Projects."

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

E02-1226. Lincoln at North Shore, LP, 35 Highland Road, Bethel Park, PA 15102. To reissue and extend time on Permit No. E02-1226, in the City of Pittsburgh,

Allegheny County, Pittsburgh ACOE District. (East Pittsburgh, PA Quadrangle N: 13.4 inches; W: 16.5 inches and Latitude: 40° 26' 56"—Longitude: 79° 59' 57"). To reissue and extend the time on Permit No. E02-1226 that authorized the applicant to construct and maintain a gangway, walkway, steps, an observation deck and a 679.2 foot long by 109.0 foot wide (as measured from the low water mark) floating boat docking spaces for the tenants of the Lincoln at North Shore Apartments. The project is located just upstream from the Ninth Street Bridge in the City of Pittsburgh and will impact 679.2 feet of stream channel.

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

E10-421, Buffalo and Pittsburgh Railroad, Inc., 201 North Penn Street, P. O. Box 477, Punxsutawney, PA 15767. Chicora Bridge, in Donegal Township, **Butler County**, ACOE Pittsburgh District (East Butler, PA Quadrangle N: 40°, 56', 23"; W: 79°, 46', 06").

To operate and maintain an approximately 200-foot long, 72-inch diameter reinforced concrete pipe stream enclosure a tributary to Buffalo Creek and rock fill placed in a total of 0.47 acre of adjoining wetlands under Department Emergency Permit No. EP1006602, as amended, associated with reconstruction of the existing Buffalo and Pittsburgh Railroad line south of SR 68 approximately 1.25 mile southwest of Chicora. Project includes creation of 0.8 acre of replacement wetland immediately southwest of the structure and stream restoration activities along approximately 235 feet of a tributary adjacent to the railroad embankment.

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

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

ENVIRONMENTAL ASSESSMENTS

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

D13-005EA, Borough of Lehigh, P. O. Box 29, Lehigh, PA 18235. Lehighon Borough **Carbon County**, ACOE Philadelphia District.

Project proposes to breach and remove Heilman Dam across Mahoning Creek (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 2,000 feet of stream channel. The dam is located approximately 900 feet south of the intersection of SR 443 and US 209 (Lehighon, PA Quadrangle, N: 13.5", W: 11.1").

DAM SAFETY

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

D45-289, Ski Shawnee, Inc., P. O. Box 339, Shawnee On Delaware, PA 18356. To construct and repair an existing deteriorated earth fill dam that impounds water for the purpose of snow making at the ski area. Work

includes dredging and removal of accumulated sediments for the existing 9.4 acre pond. (Bushkill, PA-NJ Quadrangle N: 7.2 inches; W: 11.4 inches) in Middle Smithfield Township, **Monroe County**.

SPECIAL NOTICES

Public Hearing Notice

The Commonwealth of Pennsylvania, Department of Environmental Protection (DEP), will conduct a Public Hearing to solicit comments on Grand Central Sanitary Landfill's Southern Expansion Application, I.D. No. 100265, located in Plainfield Township, **Northampton County**. The Public Hearing has been scheduled for Thursday, March 15, 2007, at 7 p.m. at the Wind Gap Middle School Auditorium.

A copy of the application may be viewed at the Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790. For further information, please contact Robert C. Wallace at (570) 826-2511. Also, a copy of this application has been provided to Plainfield Township, Lehigh Valley Planning Commission and the Northampton County Council.

Any person intending to participate in the hearing should submit a written Notice of Intent to William Tomayko, Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790 on or before March 13, 2007. The written notice should include the person's name, address, telephone number and a brief statement as to the nature (oral or written) of his or her presentation. Persons unable to attend the hearing may submit a written statement/comments to William Tomayko on or before March 13, 2007.

Hazardous Sites Cleanup Under the Act of October 18, 1988

Public Notice of Proposed Consent Order and Agreement

Aristech Chemical Corporation, Beazer East, Inc., and Warren Messner Mays/Messner Site, North Fayette Township, Allegheny County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), and other environmental statutes, has entered into a proposed Consent Order and Agreement (CO&A) with Aristech Chemical Corporation (Aristech); Beazer East, Inc. (Beazer); and Warren Messner (Messner).

The subject site (Site) is an approximately 4-acre parcel located between SRs 22 and 978 in the Imperial Industrial Park, in North Fayette Township, Allegheny County, PA. Messner is the current owner of the Site and has owned the Site at all relevant times. In the late 1970s and the early 1980s, the Mays Corporation, a Pennsylvania corporation, leased the Site from Messner and used the Site to transfer and store waste as part of the Mays Corporation's industrial and hazardous waste-hauling business.

In July 1999, under section 501(a) of HSCA (35 P. S. § 6020.501(a)), the Department conducted an Interim Response at the Site to remove and properly dispose of various waste at the Site, including styrene, acetone, ethylbenzene, naphthalene, benzoic acid, phthalic anhydride and other volatile and semi-volatile organics.

In March through April 2002, the Department further investigated the Site and found additional deposits of

benzoic acid and phthalic anhydride at subsurface levels of 3 to 4 feet. The Department determined that this waste was buried at sufficient depth that it could be safely left in place provided that certain restrictions on the use of the Site were observed.

Based on information generated during its investigation of the Site, its Interim Response, transporter records maintained by Mays Corporation, and the manufacture and waste history of other parties, the Department determined that waste at the Site containing benzoic acid and phthalic anhydride was generated at facilities formerly owned and operated by Beazer and the corporate predecessor-in-interest of Aristech.

The proposed CO&A absolves Aristech, Beazer and Messner of liability for costs incurred or response actions arising out of the release or threatened release of hazardous substances identified in the administrative record for the Site. This expressly includes costs expended by the Department at the Site during its 1999 Interim Response and its 2002 further investigation. The CO&A calls for Aristech, Beazer and Messner to pay to the Department a total of \$338,400.75, in separate payments of \$112,800.25 each. The CO&A additionally requires Messner to record with the Allegheny County Recorder of Deeds an acknowledgement of the disposal of hazardous substances and hazardous waste at the Site and a notice of property use restrictions.

Under section 1113 of HSCA (35 P. S. § 6020.1113), the Department is publishing notice of the proposed CO&A and will provide a 60-day period for public comment on the CO&A beginning with the date of this publication. Copies of the CO&A can be reviewed or obtained by contacting Terry Goodwald at the Department of Environ-

mental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by calling Terry Goodwald at (412) 442-4000. Persons may submit comments on the proposed CO&A during the 60-day public comment period only. Comments can be sent to Terry Goodwald at the address noted or may be delivered to him in person at the Department's Pittsburgh office.

The Department has reserved the right to withdraw its consent to the CO&A if comments submitted during the 60-day public comment period disclose facts or considerations which indicate, in the Department's judgment, that the CO&A is inappropriate or not in the public interest. A person adversely affected by the settlement may file an appeal to the Pennsylvania Environmental Hearing Board.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of January 2007, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon-related activities in Pennsylvania. The period of certification is 2 years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, ((800) 23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Michael Ashburn	629 Shearer Street Greensburg, PA 15601	Testing
William Astorino	3 Banyan Street Selinsgrove, PA 17870	Testing
Lionel Barnaby	2623 Terrwood Drive, West Macungie, PA 18062	Testing
Roger Burens Air Quality Control, Inc.	340 West DeKalb Pike #303 King of Prussia, PA 19406	Testing
Robert Feather Radon Testing Services, Inc.	96 Highland Parkway Levittown, PA 19056	Testing
Todd Giddings and Associates, Inc.	3049 Enterprise Drive State College, PA 16801	Mitigation
John Kerrigan RHIS, Inc.	100 Old Kennett Road Wilmington, DE 19807	Testing
David Koloskee	4021 West 12th Street Erie, PA 16505	Testing
Rob Lunny	2370 York Road A9-C Jamison, PA 18929	Testing
Paul Malmquist	4327 Point Pleasant Pike P. O. Box 410 Danboro, PA 18916	Testing
Ronald Mikolaichik	155 North Main Street Shavertown, PA 18708	Testing
Anne Niblett	3201 Addison Drive Wilmington, DE 19808	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Daniel Phillips	155 North Main Street Shavertown, PA 18708	Testing
Roger Priest	1362 Old Skippack Road Box 200 Salfordville, PA 18958	Testing
Brad Schreiner Anthracite Radon Mitigation	R. R. 7, Box 7229 Suite 102 Moscow, PA 18444	Testing
David Sperring	4826 Thoroughbred Loop Erie, PA 16506	Testing
David Teter	224 East Mifflin Street Orwigsburg, PA 17961	Testing
Thomas Trimmer	1160 Locust Grove Road Middletown, PA 17057	Testing
Todd Tuvell	4142 Ogletown-Stanton Road #217 Newark, DE 19713	Testing
John Whitehead	3304 Dougherty Lane McKeesport, PA 15133	Testing
Terry Wilver Pro-Tech Home and Business	1015 Green Street Milton, PA 17847	Mitigation
William Wright Anthracitic Radon Mitigation	R. R. 7, Box 7229 Suite 102 Moscow, PA 18444	Mitigation

[Pa.B. Doc. No. 07-248. Filed for public inspection February 16, 2007, 9:00 a.m.]

Coastal Resources Management Program; Approval of Routine Program Changes

At 36 Pa.B. 6599 (October 28, 2006), the Department of Environmental Protection (Department), as required by 15 CFR 923.84(b)(2) (relating to routine program changes), published notice that it was proposing several program changes to its Coastal Resources Management (CRM) Program and requested public comments be submitted to the National Oceanic and Atmospheric Administration's Office of Ocean and Coastal Resource Management (OCRM) on whether the changes constitute a Routine Program Change (RPC). An RPC is defined in Federal regulations (15 CFR 923.84) as, "Further detailing of a state's program that is the result of implementing provisions approved as part of the state's approval management program that does not result in (an amendment)." Essentially, RPCs are clarifications, minor revisions or improvements that do not substantially alter one or more of the following Coastal Zone Program areas: Uses Subject to Management; Special Management Areas; Boundaries; Authorities and Organization; and Coordination, Public Involvement and the National Interest. The Department determined that the program changes constituted RPCs in accordance with 15 CFR 923 (relating to coastal zone management program regulations) and requested OCRM concur with its determination. During the 3 week comment period, OCRM received public comments on the Department's proposal, which it responded to directly.

By letter dated January 9, 2007, OCRM informed the Department that it concurred with its determination and that it approved of the incorporation of the RPCs as enforceable policies and other enforceable elements of the CRM Program. Under 15 CFR Part 923.84(b)(4), the Department must provide notice of OCRM's determination in order to fulfill Federal Consistency requirements of the Federal Coastal Zone Management Act of 1972. This notice satisfies this Federal requirement. As of the date of this public notice, Federal consistency requirements apply to the approved RPCs listed as follows:

- Amendments to state regulations currently incorporated into the CRM Program's enforceable policies.
- The addition of interstate consistency.
- A boundary expansion in the Delaware Estuary Coastal Zone.
- Renaming and relocation of the CRM Program.
- Removal of Inventory of Geographical Areas of Particular Concern.
- A rewrite of CRM's Federal consistency procedures necessitated by the reauthorization of and amendments to the Federal Coastal Zone Management Act.

Detailed information on the specific changes to the CRM's enforceable policies, including a document titled "*RPC XII Proposed Routine Program Changes to Pennsylvania's Coastal Zone Management Program (RPC XII)*" is available on the Department's website at www.dep.state.pa.us.

pa.us/river/czmp.htm (select "Program Reference Documents," then "RPC XII Approved by OCRM," or "RPC XII Routine Program Changes," respectively).

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-249. Filed for public inspection February 16, 2007, 9:00 a.m.]

NOx Budget Trading Program New Source Set-Aside 2007 Proposed Allocations

The Department of Environmental Protection (Department) is providing notice and an opportunity for comment regarding the proposed nitrogen dioxide (NOx) allowance allocations from the new source set-aside for the 2007 control period May 1, 2007—September 30, 2007). 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 38% of its requested 2007 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 NOx allowance allocations from the new source set-aside for the 2007 control period should be sent to the attention of Jane Mahinske, Air Quality Program Specialist, 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 March 5, 2007. Questions concerning this notice should be directed to Jane Mahinske, Division of Air Resource Management at (717) 783-8949.

Table 1—2007 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	35
AES Ironwood, LLC	55337	2	92	92	35
Allegheny Energy 1	55196	1	41	42	16
Allegheny Energy 2	55196	2	41	42	16
Allegheny Energy 3	55710	1	37	38	15
Allegheny Energy 4	55710	2	37	38	15
Allegheny Energy 8	55377	8	50	52	20
Allegheny Energy 9	55377	9	50	52	20
Allegheny Energy 12	55654	12	49	51	20
Allegheny Energy 13	55654	13	49	51	20
Allegheny Hunlock 4	56397	4	39	39	15
Conectiv Bethlehem	55690	1	26	26	10
Conectiv Bethlehem	55690	2	26	26	10
Conectiv Bethlehem	55690	3	26	26	10
Conectiv Bethlehem	55690	5	26	26	10
Conectiv Bethlehem	55690	6	26	26	10
Conectiv Bethlehem	55690	7	26	26	10
Williams Gen. Hazelton	10870	2	39	39	15
Williams Gen. Hazelton	10870	3	39	39	15
Williams Gen. Hazelton	10870	4	39	39	15
Armstrong Energy LLC	55347	1	278	278	106
Armstrong Energy LLC	55347	2	278	278	106
Armstrong Energy LLC	55347	3	278	278	106
Armstrong Energy LLC	55347	4	278	278	106

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<i>Facility</i>	<i>ORIS</i>	<i>Point ID</i>	<i>Request</i>	<i>Maximum</i>	<i>Allocation</i>
Fairless Energy, LLC	555298	1A	39	39	15
Fairless Energy, LLC	555298	1B	39	39	15
Fairless Energy, LLC	555298	2A	39	39	15
Fairless Energy, LLC	555298	2B	39	39	15
PPL (Lower Mount Bethel)	55667	1	49	49	19
PPL (Lower Mount Bethel)	55667	2	49	49	19
Merck & Co. (Turbine #3)	52149	40	35	35	13
Liberty Electric Power	55231	1	76	76	31
Liberty Electric Power	55231	2	76	76	31
Reliant Energy (Seward)	313	CFB1	697	697	267
Reliant Energy (Seward)	313	CFB2	697	697	267
Reliant (Hunterstown LLC)	31100	CT101	52	52	20
Reliant (Hunterstown LLC)	31100	CT201	52	52	20
Reliant (Hunterstown LLC)	31100	CT301	52	52	20
Duke Energy Armaugh	880071	31301	52	52	20
Duke Energy Entriiken	880072	31601	53	53	20
Ontelaunee Energy Center	55193	CT1	27	27	10
Ontelaunee Energy Center	55193	CT2	27	27	10
FPL Energy (Marcus Hook)	55801	CT1	54	54	21
FPL Energy (Marcus Hook)	55801	CT2	54	54	21
FPL Energy (Marcus Hook)	55801	CT3	54	54	21
FPL Energy (Marcus Hook)	55801	AB1	43	43	16
FPL Energy (Marcus Hook)	55801	AB2	43	43	16
FPL Energy (Marcus Hook)	55801	AB3	43	43	16
FPL Energy (Marcus Hook)	55801	AB4	43	43	16
Handsome Lake Energy	55233	EUZ1A	55	55	21
Handsome Lake Energy	55233	EUZ1B	55	55	21
Handsome Lake Energy	55233	EUZ2A	55	55	21
Handsome Lake Energy	55233	EUZ2B	55	55	21
Handsome Lake Energy	55233	EUZ3A	55	55	21
Handsome Lake Energy	55233	EUZ3B	55	55	21
Handsome Lake Energy	55233	EUZ4A	55	55	21
Handsome Lake Energy	55233	EUZ4B	55	55	21
Handsome Lake Energy	55233	EUZ5A	55	55	21
Handsome Lake Energy	55233	EUZ5B	55	55	21
		Totals:	4,996	5,020	1,920

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-250. Filed for public inspection February 16, 2007, 9:00 a.m.]

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

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

This proposal is available on the Department's website at www.depweb.state.pa.us (choose "Air Topics") or through the contact persons listed.

The Department will hold a public hearing to receive comments on the proposals on Wednesday, March 21, 2007, at 1 p.m. in meeting Room 110 at the Tom Ridge Environmental Center at Presque Isle State Park, 301 Peninsula Drive, Suite 1, Erie, PA 16505. Persons wishing to present testimony at the hearing should contact Yvette House, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495 or yhouse@state.pa.us to reserve a time. Persons who do not reserve a time will be able to testify as time allows. Witnesses should keep testimony to 10 minutes and should provide two written copies of their statement at the hearing.

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

The Department must receive comments no later than March 23, 2007. Written comments should be sent to the attention of J. Wick Havens, Chief, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, jhavens@state.pa.us. Use "Erie County Ozone SIP" as the mail addressee or in the subject line.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-251. Filed for public inspection February 16, 2007, 9:00 a.m.]

Upper/Middle Susquehanna Regional Water Resources Committee; Meeting Change

The February 21, 2007, meeting of the Upper/Middle Susquehanna Regional Water Resources Committee will

now convene at an alternate location than was previously advertised in the 36 Pa.B. 8001 (December 30, 2006). The meeting will begin at 10 a.m. at the Luzerne County Emergency Management Agency, 185 Water St., Wilkes-Barre, PA 18702.

Questions concerning the meeting can be directed to Rachel Delavan at (717) 772-5634 or rdelavan@state.pa.us. The agenda and meeting materials for the 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: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department at (717) 783-6118 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. 07-252. Filed for public inspection February 16, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Altoona Specialty Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Altoona Specialty Center has requested an exception to the requirements of 28 Pa. Code § 559.2 (relating to director of nursing).

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

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

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

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

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

[Pa.B. Doc. No. 07-253. Filed for public inspection February 16, 2007, 9:00 a.m.]

Application of Betz Ophthalmology Associates, ASC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Betz Ophthalmology Associates, ASC has requested an exception to the requirements of 28 Pa. Code § 553.31 (relating to administrative responsibilities).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 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. 07-254. Filed for public inspection February 16, 2007, 9:00 a.m.]

Application of Clearfield Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Clearfield 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 the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 9.2.B.3 (relating to treatment room square footage).

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, (717) 772-2163, ra-paexcept@state.pa.us

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

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

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

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

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

[Pa.B. Doc. No. 07-255. Filed for public inspection February 16, 2007, 9:00 a.m.]

Application of Mercy Jeannette Hospital for Exception

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

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

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

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

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

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

[Pa.B. Doc. No. 07-256. Filed for public inspection February 16, 2007, 9:00 a.m.]

Application of Ohio Valley General Hospital for Exception

Under to 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Ohio Valley 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 the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 7.3.A3 (relating to ICU square footage requirement).

The facility is also requesting exception to 28 Pa. Code § 51.23 (relating to PET scanning services).

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

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

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

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

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

[Pa.B. Doc. No. 07-257. Filed for public inspection February 16, 2007, 9:00 a.m.]

Application of PRISM Center for Spine and Pain Care for Exception

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

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

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

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

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

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

[Pa.B. Doc. No. 07-258. Filed for public inspection February 16, 2007, 9:00 a.m.]

Application of Regional Ambulatory Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Regional Ambulatory Surgical Center has requested an exception to the requirements of 28 Pa. Code § 559.2 (relating to director of nursing).

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

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

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

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

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

[Pa.B. Doc. No. 07-259. Filed for public inspection February 16, 2007, 9:00 a.m.]

Application of The Surgery Center of Central Pa. for Exception

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

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 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. 07-260. Filed for public inspection February 16, 2007, 9:00 a.m.]

Application of UPMC St. Margaret Harmor Outpatient Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC St. Margaret Harmor Outpatient Center has requested an exception to the requirements of 28 Pa. Code §§ 559.2 and 553.21 (relating to director of nursing; and administrative responsibilities).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 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. 07-261. Filed for public inspection February 16, 2007, 9:00 a.m.]

Cervical Cancer Task Force Meeting

The Cervical Cancer Task Force will hold a public meeting on Tuesday, March 20, 2007, from 10 a.m. to 2 p.m. The meeting will be held at the Dixon University Center, Administration Building, Conference Room A, 2986 North Second Street, Harrisburg, PA 17110.

For additional information contact Barbara Caboot, Public Health Program Administrator, Breast and Cervical Cancer Section, Division of Cancer Prevention and Control, Department of Health, Room 1011, Health and Welfare Building, Harrisburg, PA, (717) 346-3981.

Persons with a disability and desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Barbara Caboot, Public

Health Program Administrator at (717) 346-3981 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 07-262. Filed for public inspection February 16, 2007, 9:00 a.m.]

Oral Health Promotion Program Mini-Grants; Availability of Title V Funds

The Bureau of Family Health is accepting mini-grant applications of up to \$3,000 to support initiatives that directly address the promotion of excellent oral health practices. Funds acquired through the Oral Health Promotion Program (Program) are to be used to provide dental varnish to improve the oral health of children and reduce tooth decay rates in young children across this Commonwealth.

Purpose

The Program will provide financial support to local communities for efforts to decrease the incidence of tooth decay in children by providing access to the application of a dental varnish from 1 year of age and up. Communities are encouraged to focus efforts on high-risk and minority populations and use funding to eliminate health disparities among these groups. Examples of activities can include the application of dental varnish, community outreach, education for families and the public on proper oral health practices and training for professionals regarding dental varnish.

Project funds must be used to reimburse purchases and activities occurring between July 1, 2006, and June 30, 2007. Copies of this application and its attachments are available on the Department of Health (Department) website at www.health.state.pa.us; search word: "Bureau of Family Health Mini-grants."

Requirements

Eligible applicants include Pennsylvania public and private organizations, foundations or community-based agencies as recognized by Federal Tax ID number. Individuals may not apply. Informal groups without Federal Tax ID numbers are encouraged to partner with a sponsor organization who may apply on behalf of the group. For-profit organizations may apply. However, no applicant may take a profit from these funds and certain funding restrictions apply to for-profit entities (see Application Attachment B). Applicants may not have received any other Department mini-grant during the same State fiscal year.

Applicants may include but are not limited to:

- * Day care centers/child care providers
- * Dental or Medical providers
- * Educational providers
- * Community groups/Civic clubs
- * Minority groups

Application Deadlines

It is anticipated that 14 awards of \$3,000 or less will be made for this fiscal year period. To apply for funding, a

complete application must be postmarked by or sent to the Department no later than 5 p.m. on March 26, 2007. Applications may be mailed or hand delivered. Applications may not be faxed. Late applications will not be accepted regardless of the reason.

Application Process

Please complete "2006-2007 APPLICATION," which is available on the Department's website at www.health.state.pa.us; search word: "Bureau of Family Health Mini-grants," and attach a clear and concise narrative of no more than five typewritten pages that includes the following information, labeled by section: The organization's mission and primary activities;

1. A description of need for the proposed activity and target audience.
2. A plan that describes how oral health will be addressed, how the efforts will be measured and evaluated, and the degree to which efforts will be long-lasting and/or ongoing.
3. A description of how funds will be expended.

An authorized official of the organization must sign and date the application. Submit an original and three complete copies of your application (including the narrative and any supporting attachments). Applications should be page-numbered and unbound. Incomplete applications will not be reviewed.

Award Determination

All funding decisions are contingent upon the availability of allocated Maternal and Child Health Services Block Grant funds and Department. Applications are scored by a three-member review panel using a rating scale with the following preestablished criteria:

1. The degree of need for the proposed activity, as justified by the applicant.
2. The extent to which the activity can demonstrate a change in awareness and actions.
3. The likelihood that the proposed activity will be of ongoing, systemic benefit to the community.

Notification of Award

All applicants will be notified of their award status within 6 weeks of the submission due date. This program reimburses applicants once after they have purchased the approved budget items.

Eligible Costs

Applicants may apply for funding reimbursement of multiple purchases or activities. However, the maximum cumulative award to any one applicant (as identified by Federal Tax ID number) is \$3,000 per fiscal year. In all cases, Department funds should be used as payer of last resort. Grant funds may not supplant existing funds. Grant funds may be used for reimbursement of one time purchases only. Grantee is the sole owner of the purchased property. The budget section of your application must include a budget narrative detailing by line item how project funds will be used and the degree to which competitive bids were secured for purchases. Price quotes, estimates, catalog samples, or any other proof of cost must be submitted for every purchase proposed.

Expenses eligible for reimbursement under this project include but are not limited to:

1. Equipment: fluoride varnish, and the like.
2. Education: training materials, books, workbooks, brochures, posters; translation of educational materials into different languages and for different populations, and the like.
3. Technology: computer equipment/software, videos, tapes, cds, DVDs, and the like.

Ineligible Costs

The following costs are not eligible for reimbursement under this program:

1. Administrative/Indirect costs (such as, costs not uniquely attributable in full to the programmatic activity).
2. New building construction or structural renovation of an existing space.
3. Capital expenses or equipment.
4. Staffing/personnel.

By applying for mini-grant funding, applicants acknowledge and affirm that they will abide by the previously-mentioned spending limitations and the provisions of the Maternal and Child Health Services Block Grant legislation (Application Attachment B), for all money awarded under that application.

Mini-grant Evaluation Procedures

All grantees will receive at least one onsite visit from a Department Maternal and Child Health (MCH) Consultant located within the applicant's health district. The results of the visit will be provided to the Oral Health Promotion Program Administrator in writing and used for project evaluative purposes. The Oral Health Promotion Program Administrator will facilitate initial contact between the grantee and MCH Consultant at the time project funds are awarded.

Summary Report and Invoice Procedures

Approved applicants will be reimbursed with one check for all approved expenses. To receive reimbursement of approved expenses, awardees must submit the following documentation, found in Attachment A, to the Bureau within 30 days following completion of funded activity or no later than July 28, 2007:

1. A summary report of funded activities, including evaluation results.
2. A continuation plan for the program or activities.
3. An invoice with expense documentation supporting line item amounts.

Applications should be submitted to Oral Health Promotion Program Administrator, Department of Health, Bureau of Family Health, Division of Child and Adult Health Services, Health and Welfare Building 7th Floor East Wing, 7th and Forster Streets, Harrisburg, PA 17120, (717) 772-2762.

Persons with a disability who require an alternative format of this Notice (for example, large print, audiotape,

Braille) should contact Carolyn S. Cass at the Pennsylvania Department of Health, Division of Child and Adult Health Services at (717) 772-2762 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 07-263. Filed for public inspection February 16, 2007, 9:00 a.m.]

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. 07-264. Filed for public inspection February 16, 2007, 9:00 a.m.]

Request 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).

Guardian Elder Care Center
147 Old Newport Street
Nanticoke, PA 18634
Facility ID 191502

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.18(e) (relating to management).

The Health Center at The Hill at Whitemarsh
660 Thomas Road
Lafayette Hill, PA 19444
FAC ID 17900201-01

New Eastwood Care and Rehabilitation Center
2125 Fairview Avenue
Easton, PA 18042
FAC ID 050102

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

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

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.

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

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

Persons with a disability who require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotope, Braille), should contact the Division of Nursing Care Facilities at the address listed previously or for speech

WIC Program Public Meetings

The Department of Health (Department) announces three public meetings on the following dates at the location indicated to receive comments and suggestions about the Special Supplemental Nutrition Program for Women, Infants and Children (WIC).

Erie
Wednesday, April 11, 2007
10 a.m.—3 p.m.
John F. Kennedy Center
Conference Room
2021 East 20th Street
Erie, PA 16510

West Chester
10 a.m.—3 p.m.
Wednesday, April 18, 2007
Chester County Health Department
601 Westtown Road
Suite 190
West Chester, PA 19380-0990

Harrisburg
10 a.m.—3 p.m.
Tuesday, May 8, 2007
WIC State Agency Office
2150 Herr Street
1st Floor, Suite B
Harrisburg, PA 17103-1625

The Department invites comments on all aspects of the WIC Program's operations. General comments on other issues pertinent to the WIC Program are also requested. Persons wishing to give testimony at the public meetings are requested to pre-register with the Pennsylvania WIC Program Office by calling Bonnie Mellott, WIC Education/Outreach Coordinator, at (717) 783-1289. Those unable to attend are encouraged to submit comments to the Division of Women, Infants and Children (WIC), Department of Health, 7th and Forster Streets, Room 610, Health and Welfare Building, Harrisburg, PA 17120. Written comments will be accepted until May 31, 2007.

Written comments and those presented at the meetings will be used in developing the State Plan of Program Operation and Administration for the WIC Program for the 2008 Federal Fiscal Year, which runs October 1, 2007, to September 30, 2008. Additional information about the meetings or the state plan may be obtained by calling the State Office at (717) 783-1289.

Persons with a disability who require an alternative format of this Notice (for example, large print, audiotope, Braille) or wish to attend the meeting, preregister or provide comments and require an auxiliary aid service should contact Bonnie Mellott, WIC Education/Outreach Coordinator, at (717) 783-1289, or, for speech and/or

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

These meetings are subject to cancellation without notice.

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

[Pa.B. Doc. No. 07-265. Filed for public inspection February 16, 2007, 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 Cardello Associates, 701 North Point Drive, Pittsburgh, PA, seeking to lease highway right-of-way located between Ridge Avenue and relocated Reedsdale Street, in the City of Pittsburgh, Allegheny County, containing 15,395 ± square feet or 0.35 ± acre, for the purpose of vehicle parking.

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,
Secretary

[Pa.B. Doc. No. 07-266. Filed for public inspection February 16, 2007, 9:00 a.m.]

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 Cardello Associates, 701 Chateau Street, Pittsburgh, PA, seeking to lease highway right-of-way located beneath the West End Bridge between Ridge Avenue and Reedsdale Street, in the City of Pittsburgh, Allegheny County, containing 48,948 ± square feet or 1.12 ± acre, for the purpose of vehicle parking.

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,
Secretary

[Pa.B. Doc. No. 07-267. Filed for public inspection February 16, 2007, 9:00 a.m.]

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 Tom LaFrankie, President of TAG Motors, Inc., seeking to lease highway right-of-way located on the corner of Long Run Road and Lincoln Way in White Oak, Allegheny County, containing 15,233 ± square feet or 0.3497 ± acre, for the purpose of storage, service and sales facility for cars.

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,
Secretary

[Pa.B. Doc. No. 07-268. Filed for public inspection February 16, 2007, 9:00 a.m.]

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 Carol Leone Incorporated, 551 Thorn Run Road, Coraopolis, Allegheny County, seeking to lease highway right-of-way located along the southerly side of SR 3087 (551 Thorn Run Road), Moon Township, Allegheny County containing 12,095 ± square feet or 0.278 ± acre adjacent to SR 3087, for the purpose of vehicle parking.

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,
Secretary

[Pa.B. Doc. No. 07-269. Filed for public inspection February 16, 2007, 9:00 a.m.]

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 Barry Lhormer, President, North of Forbes, Inc., seeking to lease highway right-of-way located along South 23rd Street at its intersection with Carson Street and the Birmingham Bridge, in the City of Pittsburgh, Allegheny County, containing 10,150 ± square feet or 0.23 ± acre, for the purpose of vehicle parking.

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,
Secretary

[Pa.B. Doc. No. 07-270. Filed for public inspection February 16, 2007, 9:00 a.m.]

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 Plum Original, Inc., 1813 Golden Mile Highway, Pittsburgh, PA, seeking to lease highway right-of-way located on the westerly side of SR 0286, in Plum Borough, Allegheny County containing 5,672 ± square feet or 0.13 ± acre adjacent to SR 0286 for the purpose of vehicle parking.

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,
Secretary

[Pa.B. Doc. No. 07-271. Filed for public inspection February 16, 2007, 9:00 a.m.]

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 Protection Services, Inc., 204 South Main Street, East Pittsburgh, PA, seeking to lease highway right-of-way located beneath the Brad-dock Avenue Spur on the westerly side of Main Street, in the Borough of East Pittsburgh, Allegheny County containing 9,000 ± square feet or 0.21 ± acre adjacent to SR 2083, Spur 001, for the purpose of a storage area for equipment and material.

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,
Secretary

[Pa.B. Doc. No. 07-272. Filed for public inspection February 16, 2007, 9:00 a.m.]

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 John Miloser, d/b/a River Harbour, seeking to lease highway right-of-way located along Riverside Drive at the intersection of SR 51, Bridgewater Borough, Beaver County, containing 13,021 ± square feet or 0.30 ± acre, for the purpose of an office trailer and boat sales.

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,
Secretary

[Pa.B. Doc. No. 07-273. Filed for public inspection February 16, 2007, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Parcel No. 49—City of Pittsburgh, Allegheny County. The parcel contains approximately 0.5756± acre or 25,073± square feet of land improved with a gravel parking area located in the 18th Ward, City of Pittsburgh, on the westerly side of Saw Mill Run Boulevard (adjacent to Tambellini Restaurant). The estimated fair market value of the parcel is \$30,700.

Interest public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to H. Daniel Cessna, P. E., District Executive, Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA, 15017.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 07-274. Filed for public inspection February 16, 2007, 9:00 a.m.]

**Finding
Allegheny County**

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

The Federal Highway Administration and the Department of Transportation (Department) are planning a

streetscape project; including lighting, street furniture, crosswalks, handicap ramps, sidewalks, landscaping, and the like, in the City of Bradford, McKean County.

Information describing the project together with the associated environmental analysis is contained in the Categorical Exclusion Evaluation/Section 2002 Evaluation that was prepared for this project.

The National Register listed Bradford Historic District and Rufus Barrett Stone House, and the National Register eligible Bradford Old City Hall and South Penn Oil Building are Section 2002/Section 4(f) resources. Impact to these properties will constitute a use of the Section 2002/Section 4(f) resources.

Based upon studies, there is no prudent and feasible alternative to the proposed action.

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

M. G. PATEL, P. E.
Chief Engineer

[Pa.B. Doc. No. 07-275. Filed for public inspection February 16, 2007, 9:00 a.m.]

**INDEPENDENT
REGULATORY REVIEW
COMMISSION**

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
125-49	Pennsylvania Gaming Control Board Accounting and Internal Controls; Slot Computer Systems; Commencement of Slot Operations 36 Pa.B. 7267 (December 2, 2006)	1/2/07	2/1/07
7-403	Environmental Quality Board Water Resources Planning 36 Pa.B. 7260 (December 2, 2006)	1/2/07	2/1/07

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**Pennsylvania Gaming Control Board Regulation
#125-49 (IRRC #2581)**

**Accounting and Internal Controls; Slot Computer
Systems; Commencement of Slot Operations**

February 1, 2007

We submit for your consideration the following comments on the proposed rulemaking published in the December 2, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

1. Determining whether the regulation is in the public interest.

The Pennsylvania Horse Race Development Act (Act) (4 Pa.C.S.A. §§ 1101—1904) allows the Board to promulgate temporary regulations until April 15, 2007. The temporary regulations are not subject to two statutes that guide agencies when promulgating regulations: the Commonwealth Documents Law (CDL) (45 P. S. §§ 1201—1208) and the Regulatory Review Act (RRA) (71 P. S. §§ 745.1—745.15). The Act requires all temporary regulations to be promulgated as permanent regulations by July 5, 2007. The conversion of temporary regulations to permanent regulations requires compliance with both the CDL and the RRA.

Section 5.2 of the RRA (71 P. S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. Therefore, the Commission must analyze the text of the proposed rulemaking and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under § 745.5(a) in the regulatory analysis form (RAF).

The Preamble to this rulemaking states that the Board proposes to replace three chapters of its temporary regulations with permanent regulations. The explanation of the regulations in the Preamble and the information contained on the RAF is not sufficient to allow this Commission to determine if the regulation is in the public interest. While we commend the Board for involving the regulated community in the development of the temporary regulations, we note that a complete explanation of the need for each chapter and section was not provided in that process. Furthermore, the RAF does not contain a detailed fiscal impact and cost benefit analysis. Without this information, we cannot determine if this proposed regulation is in the public interest. In the Preamble and RAF submitted with the final-form rulemaking, the Board should provide the detailed information required under § 745.5(a) of the RRA.

2. Economic or fiscal impact; Clarity and lack of ambiguity; Reasonableness of the requirements.

Vague phrases

This regulation contains many vague phrases. Examples include: “in the manner the Board requires”; “as approved by the Board”; “in a manner to be prescribed by the Board”; and “as are authorized by the Board.” These phrases are problematic for two reasons.

First, a regulation has the full force and effect of law. It establishes binding norms on the regulated entity and the

agency that promulgated the regulation. The vague phrases in question would allow requirements to be imposed at the agency’s discretion without the opportunity for comment or review through the regulatory process. Therefore, without adequate notice as to what requirements the agency is imposing, it would be difficult if not impossible for regulated parties to discern what actions on their part would constitute compliance.

Second, many sections in which the vague phrases are found lack details that would allow the regulated community to comply with the regulation. These sections also fail to provide the criteria that the Board will use to evaluate a particular action or request. This lack of clarity would place the regulated community at a distinct disadvantage because the rules and expectations of the Board could change.

We urge the Board to evaluate all of the vague phrases we have identified in bold text in the Appendix. The Board should either delete the language or add the needed detail that would allow the regulated community to know what they are expected to do and how the Board will evaluate their actions.

Standards adopted by the Board

Several provisions require compliance with a Board action such as technical “standards adopted by the Board” or similar language. Related to our concerns above, these provisions do not give the regulated community the information needed to comply and the documents cannot be used to enforce standards contained in regulation. In addition, this approach would allow an agency or department to bypass the formal regulatory review process and the laws that govern the promulgation of regulations. These phrases are used in several places in the regulation including: Sections 465.10(b), 465.27(c)(1), 465.27(e)(2), 465.28(a)(1), 465.28(a)(2), 466.1(a), 466.1(b), 466.1(c), 467.2(a)(1), 467.2(a)(2), 467.2(a)(3) and 467.2(a)(4). These phrases should be amended to include in the regulation either the standards adopted by the Board or a cross-reference to the known and quantifiable standard adopted by the Board.

3. Section 465.2. Internal control systems and audit protocols.—Implementation procedures; Clarity.

Paragraph (b)(2) requires compliance with “applicable laws and regulations.” The final-form regulation should include specific cross-references to the laws and regulations that pertain to financial reporting. This phrase also appears in § 465.2(c).

Under Subsection (e), slot machine licensees are prohibited from commencing gaming operations until the Board approves a licensee’s system of internal controls. The procedures, time frames and criteria that will be used to review the internal controls are not included in the regulation. Consistent with Comment 2 above, the final-form regulation should include provisions that would allow a licensee to know how this review will be administered by the Board.

Paragraph (g)(2) allows the review period contained in Subsection (f) to be “tolled.” The final-form regulation should include provisions that explain how tolling works.

4. Section 465.3. Forms, records and documents.—Clarity.

Subsection (c) includes a reference to a “Bureau.” Since this term is not defined in a final regulation, it is not clear whether this term means the Board’s Bureau of Investigation and Enforcement, or another Bureau of the Board.

5. Section 465.6. Retention, storage and destruction of books, records and documents.—Clarity.

Paragraph (b)(1) states that electronic data “should” be stored in a particular format. The use of the word “should” does not establish a requirement. If the Board intends to enforce this provision, we recommend that the word “should” be changed to “must.”

6. Section 465.7. Complimentary services or items.—Clarity.

Subsection (d) states, in part, the following: “If a slot machine licensee provides complimentary cash and noncash gifts recorded at a value of \$10,000 or more to a person or the person’s guests within any 5-day period. . . .” We have three concerns. First, is the \$10,000 limit a sum of gifts given to a person and the person’s guests, or is the \$10,000 a limit for just one person? Second, what specific conditions would have to occur for an individual to be considered a person’s “guest”? Finally, does the 5-day period have to be consecutive? The final-form regulation should clarify this provision.

7. Section 465.9. Surveillance system; surveillance department control; surveillance department restrictions.—Implementation procedures; Clarity.

Subsection (a) prohibits a slot machine licensee from commencing gaming operations until the Board approves the licensee’s surveillance systems. The procedures, time frames and criteria that will be used to review the surveillance system are not included in the regulation. The final-form regulation should include provisions that would allow a licensee to know how this review will be administered by the Board.

8. Section 465.13. Firearms; possession within a licensed facility.—Statutory authority; Need; Implementation procedures; Clarity.

Subsection (a)

This subsection prohibits individuals from possessing “firearms or handguns” within a licensed facility without the express written approval of the Board. The regulation should define or cross-reference what are considered “firearms or handguns.”

Additionally, why did the Board prohibit firearms and handguns, but not other devices such as tasers, knives and mace?

Paragraph (a)(2)

Under this paragraph, local, State and Federal law enforcement agents may not possess a firearm on the gaming floor or restricted areas servicing the slot operations without first notifying the Board and the Pennsylvania State Police Gaming Enforcement Office. Notification is not required if exigent circumstances exist. What statutory authority does the Board have for regulating law enforcement officers and what is the need for it? If the Board justifies its authority, how would the Board enforce this provision?

Subsection (b)

This subsection prohibits a slot machine licensee from employing an off-duty law enforcement officer to provide security related services. The subject matter of this subsection would be more appropriate under § 465.14, relating to security department minimum staffing, or as its own section.

Subsection (c)

In order for an individual to obtain approval from the Board to possess a firearm or handgun in a licensed

facility, that individual must demonstrate that they have: received an adequate course of training in the use of a firearm or handgun; a valid license to possess a firearm or handgun; and a compelling need for the possession of a firearm or handgun in a licensed facility. We have three concerns. First, the procedures for filing a request with the Board are not contained in the regulation. We recommend that provisions be added to guide an individual through the approval process. Second, what is meant by an “adequate course of training”? Must the individual demonstrate that they have completed or passed that training? Third, under what circumstances would the Board grant approval to an individual to possess a firearm or handgun in a licensed facility?

9. Section 465.20. Personal check cashing.—Protection of the public health, safety and welfare; Clarity.

Paragraphs (b)(4) and (b)(5) require the slot machine licensee to “retain adequate documentation evidencing” signature verification or check verification performed in connection with the acceptance of a personal check. The quoted provision is vague. The final-form regulation should specify the type of documentation that must be retained.

Subsection (b)(6) allows a slot machine licensee to cash personal checks of patrons in the amount of \$2,500 per day. In the Preamble to the final-form regulation, the Board should explain how this limit adequately protects the welfare of patrons.

10. Section 465.21. Wire transfers.—Clarity.

As noted in the section above, the Board has imposed a limit on the amount of money that can be obtained by a patron through cashing of a personal check. Why didn’t the Board impose a limit on the amount of money a patron can obtain through wire transfers?

11. Section 465.30. Waiver of requirements.—Statutory authority; Implementation procedures.

This section states:

The Board may waive one or more of the requirements of this chapter or technical standards applicable to accounting and internal controls adopted by the Board upon a determination that the nonconforming control or procedure nonetheless meets the operational integrity requirements of the act, this subpart and technical standards adopted by the Board.

What is the Board’s statutory authority for granting a waiver from a substantive requirement of a regulation? Absent specific statutory authority, this section should be deleted in its entirety.

If the Board demonstrates it has statutory authority to grant waivers of substantive requirements, the procedures for requesting and considering a waiver must be included in the final-form regulation. In addition, the final-form regulation must address who can request such a waiver and what criteria the Board will apply to determine if a waiver will be granted.

12. Section 466.1. Slot computer systems generally.—Statutory authority; Implementation procedures.

Subsection (c) allows the Board to waive requirements of this section and technical standards applicable to slot computer systems. Similar to the concern raised above, we question the Board’s authority for granting a waiver.

We also recommend that the procedures and criteria surrounding the waiver process be included in the final-form regulation.

13. Reference to temporary regulations.—Clarity and lack of ambiguity.

The following sections of the regulation contain references to the Board’s temporary regulations. The Board’s temporary regulations will cease to exist as of July 5, 2007, unless they are promulgated as permanent regulations by that date. We recommend that the Board delete references to temporary regulations unless the pertinent temporary regulations have been promulgated as permanent regulations prior to the Board’s submittal of this final-form regulation.

- § 465.1(c)(4) § 465.20(a)
- § 465.7(a) § 465.21(a)
- § 465.11(b)(1)(vi) § 465.22(a)
- § 465.11(b)(1)(viii) § 467.1(a)(2)(ii)
- § 465.11(b)(5)(x) § 467.1(a)(2)(iv)
- § 465.19 § 467.2(a)(7)

14. Undefined terms.—Clarity and lack of ambiguity.

The terms or phrases noted below are found throughout the regulation. Clarity would be improved if these terms were defined.

- player rating
- player rating system
- bill validator
- trolley
- drop team
- cash equivalents
- merchandise jackpot

15. Miscellaneous clarity.

The following terms or phrases appear throughout the regulation and should be deleted because they are vague:

- adequately
- timely
- reasonable
- reasonably
- appropriate
- appropriately
- competent
- qualified
- effective

Appendix

Section	
465.2(a)	An applicant for, or holder of, a slot machine license shall submit to the Board and the Department, in the manner the Board requires , a narrative description...at least 90 days before gaming operations are to commence, unless otherwise directed by the Board . A written system of internal controls must include:
465.2(a)(7)	Other items the Board may request in writing.
465.2(c)	The initial submission must also be accompanied by a report from an independent certified public accountant or, when appropriate , independent registered public accounting firm, licensed to practice in this Commonwealth. . . .
465.2(d)(2)(i)	Transactions or financial events which occur in the operation of a slot machine are executed in accordance with management’s general and specific authorization, as approved by the Board .
465.2(d)(2)(v)	Access to assets is permitted only in accordance with management’s general and specific authorization, as approved by the Board .
465.2(f)	If a slot machine licensee intends to make a change or amendment to its system of internal controls, it shall submit to the Board and the Department in the manner prescribed , a narrative description. . . .
465.3(d)(1)	Be in a form prescribed or authorized by the Board .
465.4(a)	A slot machine licensee shall, upon the request of the Board , file monthly, quarterly and annual reports. . . .
465.4(c)	In the event of a license termination, change in business entity or material change in ownership, the Board may require the filing of financial and statistical reports as it deems necessary , as of the date of occurrence of the event. The slot machine licensee will be notified in writing by the Board.
465.5(a)	A slot machine licensee shall, at its own expense, cause its annual financial statements to be audited in accordance with generally accepted auditing standards (when applicable , the Standards of the Public Company Accounting Oversight Board (United States)). . . .
465.5(d)	Two copies of the audited financial statements, together with any management letter or report prepared thereon by the slot machine licensee’s independent certified public accountant or, when appropriate , independent registered public accounting firm. . . .
465.5(e)	The slot machine licensee shall require the independent certified public accountant or, when appropriate , independent registered public accounting firm auditing its financial statements. . . .
465.5(k)	. . . Each SARC shall be filed with the Board concurrently with the Federal filing in a manner to be prescribed by the Board .

Section	
465.5(l)	. . . Each CTRC shall be filed with the Board concurrently with the federal filing in a manner to be prescribed by the Board.
465.5(m)	Prior to commencing gaming operations, a slot machine licensee shall file with the Board, in a manner to be prescribed by the Board , a copy of its compliance program. . . .
465.8(b)	Restricted areas within the licensed facility shall be designated and approved by the Board for the repair and storage of slot machines. . . .
465.8(c)	Emergency exits from the gaming floor must be equipped with an audible alarm system, approved by the Board that produces a loud, distinguishable warning sound. . . .
465.8(f)	Slot machine licensees shall provide additional accommodations within the licensed facility as shall be requested by the Board, the Department or the Pennsylvania State Police to accommodate periodic audit, compliance or investigative reviews at the licensed facility.
465.9(c)(1)(vii)	Other areas designated by the Board.
465.9(c)(5)	. . . and elsewhere in the licensed facility as required by the Board. Each monitoring room must be equipped with or serviced by:
465.9(c)(5)(iii)	. . . A robbery, fire or emergency alarm must be perceptually distinguishable from nonemergency alarms in a manner approved by the Board.
465.9(e)(2)	The main bank, vault, satellite cages and other areas as required by the Board.
465.9(f)	. . . or shall be maintained in an electronic format the Board approves. . . .
465.9(h)	The Bureau shall be notified immediately, in a manner the Board , of any incident of equipment failure. . . .
465.9(i)	The Bureau shall be notified, in a manner approved by the Board , in advance of the following:
465.9(p)(2)	Maintained in a book with bound numbered pages that cannot be readily removed or maintained in an electronic format as the Board approves.
465.11(a)	. . . The proposed organizational structure of each slot machine licensee shall be approved by the Board in the absence of a conflict. . . .
465.11(a)(3)	The performance of all functions, duties and responsibilities in accordance with sound financial practices by competent, qualified personnel.
465.11(e)	Notwithstanding other provisions to the contrary, a slot machine licensee may, with the prior approval of the Board , designate and assign more than one person. . . .
465.13(a)	Individuals, including security department personnel, are prohibited from possessing any firearm or handgun within a licensed facility without the express written approval of the Board, in accordance with authorization procedures as the Board determines. . . .
465.14	. . . slot machine licensees shall be required to submit, for Board approval , a minimum staffing submission with regard to its security department. The minimum staffing submission must consider the size and layout of the licensed facility as well as the number and configuration of slot machines on the gaming floor and must at all times provide for adequate and effective security of the gaming floor and any restricted areas servicing the gaming operation. . . .
465.17(a)	. . . and other instruments as are authorized by the Board. . . .
465.17(c)	. . . All currency, gaming vouchers, coupons and Board-approved instruments inserted into the bill validator. . . .
465.17(e)(4)	. . . may not affect the security of the slot cash storage box, its contents or the bill validator, and shall be approved by the Board.
465.18(a)	Slot machine licensees shall place on file with the Board, in the manner prescribed by the Board , a schedule. . . .
465.18(b)	. . . Any deviation from the schedule setting forth the specific times at which slot cash storage boxes will be brought to or removed from the bill validators, change in the areas to be dropped or the transportation route to the count room shall be noticed to the Board in advance in a manner prescribed by the Board.
465.18(c)	...located immediately adjacent thereto, configured and secured in a manner approved by the Board , by a minimum of three employees. . . .
465.25(a)	A slot machine licensee shall file with the Board, in the manner prescribed by the Board , a schedule setting forth the specific times during which the contents of slot cash storage boxes are to be counted and recorded. Any deviation from the schedule shall be noticed to the Board in advance in a manner prescribed by the Board.

Section	
465.25(b)(2)	. . . The information is used by the counting equipment to either calculate the value internally or obtain the value directly from the gaming voucher system or coupon system in a secure manner as approved by the Board
465.25(i)	A coupon which has not already been canceled upon acceptance or during the count shall be canceled prior to the conclusion of the count, in a manner approved by the Board .
465.25(j)	. . . shall be filed in the manner prescribed by the Board .
465.27(c)(2)	The Board has approved the specific offer of the annuity jackpot.
465.31(b)	. . . A slot machine licensee may not commence gaming operations until its hours of operation are approved by the Board .
467.1(a)	An applicant for, or holder of a slot machine license, shall submit to the Board, in a manner the Board requires , a floor plan. . . .
467.1(a)(2)(xii)	Additional documentation requested by the Board .
467.2(a)(9)	The slot machine licensee has successfully completed a test period in accordance with the terms and conditions required by the Board .

**Environmental Quality Board Regulation #7-403
(IRRC #2585)**

**Water Resources Planning
February 1, 2007**

We submit for your consideration the following comments on the proposed rulemaking published in the December 2, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

1. Section 110.1. Definitions.—Consistency with statute; Clarity.

We have identified three issues with this section.

First, some of the definitions in this section restate verbatim the statutory definitions from Section 3102 of Title 27 Pa.C.S.A. Chapter 31 (relating to water resources planning) (Act) (27 Pa.C.S.A. § 3102) while others cross-reference defined terms in Section 3102 of the Act. The EQB should consistently use one method for defining terms in the regulation. It should either restate each statutory definition verbatim or provide a cross-reference to the statutory citation for each definition.

Second, the regulatory definition for “water conservation project or practice” is practically identical to the statutory definition for the term “water conservation practices and measures” in Section 3102 of the Act. The regulation should use the term “water conservation practices and measures” from the Act rather than new words for a term defined by the statute.

Finally, the definition of “Statewide Committee” should reference the specific section of Chapter 31 (27 Pa.C.S.A. § 3114), which establishes the Committee and requirements for its membership.

2. Section 110.3. General requirements.—Reasonableness; Clarity.

Subsection (b)(2) states that a person that submits information and claims it is confidential should provide justification for its confidential nature. We have three questions.

First, what criteria and process will the Department of Environmental Protection (Department) use to determine whether the justification is valid?

Second, if the Department determines the justification is insufficient, how will it notify the person of the basis for its determination? Will that person have an opportunity to offer additional information or appeal the Department’s determination?

Third, if the Department agrees that the information submitted should be confidential, what steps will it take to protect the confidentiality of the information? We recommend that the proposed regulation reference the statutory provisions for confidential information in Section 3119 of the Act.

3. Section 110.4. Inspection authorization.—Clarity.

This section requires registrants to provide records and grant access to the Department “upon request.” Under what circumstances will the Department make such a request? Will this request be in writing? The final-form regulation should include this information.

4. Section 110.5. Coordination with reports under other statutes.—Fiscal impact; Consistency with statute; Reasonableness; Need; Clarity.

The provisions of this section in the proposed regulation are not consistent with Section 3118(b)(4) of the Act (27 Pa.C.S.A. § 3118(b)(4)). For example, Section 110.5(b) of the proposed regulation requires persons to file “. . . joint reporting forms developed by the Department to facilitate the submission of information required under other statutes and regulations administered by the Department, compact basin commissions, and other Federal and state agencies. . . .”

On the other hand, Section 3118(b)(4) of the Act reads:

To avoid duplication, regulations implementing the periodic reporting requirements of this subsection shall provide that the requirements may be satisfied by the filing of discharge monitoring reports prepared under the Clean Streams Law, water supply reports prepared under the Safe Drinking Water Act, water withdrawal and use reports prepared and submitted pursuant to regulations adopted by the Delaware River Basin Commission and Susquehanna River Basin Commission, or other reports submitted under other applicable statutes and regulations. . . .

The statute directs that the regulation provide that reporting requirements may be satisfied via existing reports. The statute does not direct the Department to develop new “joint reporting forms.” If the Department already has access to this information via other required

reports, then there is no need to create new forms for persons to complete and file. The final-form regulation should identify the existing reports that will fulfill the reporting requirements.

Finally, Subsections (a) and (b) both contain the phrase “. . . required under other statutes and regulations administered by the Department, compact basin commissions, or by other Federal and state agencies.” It is not clear what “other statutes and regulations” are included in this reference. The final-form regulation should identify and cross-reference these other regulatory and statutory requirements.

5. Section 110.6. Effect of registration.—Clarity.

Subsection (a) appears to be a narrative statement describing the potential benefits of registration. Its need or purpose as a substantive rule or procedure for water suppliers or users is unclear. The language of this subsection is more appropriate for the narrative in the Preamble. Subsection (a) should be deleted in the final-form regulation. The letter “(b)” for the second subsection would also be deleted and the single sentence in Subsection (b) would be the only content in Section 110.6.

6. Section 110.201. Registration requirement.—Reasonableness; Clarity.

Commentators stated that Subsection (3), which requires an entity connected to a public water system and has a consumptive use of over 100,000 gallons per day to register and report its usage, is redundant and not needed because public water suppliers already report this usage. The EQB should state its reason for requiring this extra reporting or delete the provision from the final-form regulation.

7. Section 110.202. Submission of registrations.—Clarity.

This section states that registrations must be submitted by March 16, 2004, or 90 days following the initiation of a water withdrawal. The phrase “March 16, 2004 or” should be deleted.

8. Section 110.203. Content of registration.—Reasonableness; Clarity.

A commentator stated that the specific location of a public water supplier’s intakes should be considered confidential security information and protected from public disclosure. Has the EQB considered keeping this information confidential?

Also, another commentator asserted that Paragraph 2, which requires the reporting of each consumptive and non-consumptive use, is burdensome and has no value in water resource planning. Rather, the **total** consumptive and non-consumptive water use is the only relevant information. What is the EQB’s rationale for requiring reporting of each consumptive and non-consumptive use?

9. Section 110.302. Submission of reports.—Clarity.

This section states that reports shall be submitted to the Department on an annual basis “. . . or less frequently as may be prescribed by the Department. . . .” In what instance would a report be filed less frequently than on an annual basis? What are the criteria for determining the frequency of submittals? How will the registrant know if the Department changes the frequency for filing the report? This information should be clearly set forth in the final-form regulation. A similar concern applies to Section 110.603.

Also, because Subsection (2) uses the term “including,” the phrase “Other user” in Subsection (2)(viii) is not necessary. It should be deleted in the final-form regulation.

10. Section 110.305. User-specific contents of report.—Statutory authority; Reasonableness; Need; Clarity.

Commentators noted that this section is vague concerning the type of information that is to be included in the required reports. One commentator questioned the need for the “employment” information required in Sections 110.305(3)(i), (4)(i), (5)(i), (7)(iii) and (8)(iv). We agree that the descriptions of the “user-specific” information are vague and do not provide sufficient detail.

In addition, we question the statutory authority of the EQB to include these provisions in this regulation. Part of Section 3118(b)(1) of the Act (27 Pa.C.S.A § 3118(b)(1)) describes the reporting requirements:

. . . Such regulations shall require water users subject to the registration requirements of this section to monitor, maintain records and submit to the department periodic reports regarding the **source, location and amount** of withdrawals or uses or both from surface waters and groundwaters, including the **amount** of consumptive and nonconsumptive uses, the locations and **amounts** of any waters returned and discharged and the **amounts** of water transferred between public water supply agencies via interconnections. Such regulations shall not require submission of periodic reports more frequently than annually. . . . [Emphasis added.]

The specific language of the statute requires that these reports include the “source, location and amount of withdrawals or uses.” There is no mention of employment data, storage information, irrigation information or other details regarding the business using the water. In other words, the focus of the Act is location, source and amount of water being used. There is no mention of documenting other information. The EQB and Department should justify the need for this information and explain the statutory authority for requiring its submittal. If these data requirements are retained in the final-form regulation, this section should include specific details describing the type of data that must be included in the reports.

11. Section 110.402. Retention of records.—Clarity.

This section states that records must be maintained for five years. In what format must these records be maintained? Do they need to be maintained on paper or can they be retained electronically or by other media? This should be clearly stated in the final-form regulation.

12. Section 110.501. Metering and measuring requirement.—Consistency with statute; Reasonableness; Clarity.

We have four concerns with this section.

First, what alternative methods for determining usage are acceptable to the EQB? Section 3118(b)(1) of the Act (27 Pa.C.S.A § 3118(b)(1)) states “. . . With respect to withdrawal uses . . . involving a withdrawal of less than 50,000 gallons per day in a 30-day period, the regulations shall provide for the use of alternative methods to obtain a reasonable estimate or indirect calculation of such in lieu of direct metering or measurement.” To be consistent with the Act, the EQB should establish these alternative methods in the final-form regulation.

Second, the EQB should consider adding language to limit the 5% accuracy to withdrawals. A commentator

suggested that Subsection (a) be clarified to state that the accuracy of reporting is applicable only to withdrawals because consumptive use is too hard to quantify in power plant systems.

Third, Subsection (d) allows for exceptions to the 5% performance standards, but does not set forth the method for requesting these exceptions. These methods should be clearly stated in the final-form regulation.

Finally, Subsection (f) requires certain persons to measure or calculate their withdrawals "by a means acceptable to the Department." Will these "means" be different than the ones set forth throughout this regulation? If so, these alternate means should be set forth in the regulation. If the Department is going to consider suggestions for alternative "means" for measuring or calculating withdrawals, then the process for submitting these proposals and the criteria that the Department will use in determining whether they are "acceptable" should be set forth in this subsection.

13. Section 110.502. Recording frequency.—Reasonableness; Clarity.

A commentator stated that this section is unclear about how frequently a person must record withdrawals and uses if that person is both a large user (subject to Section 110.501(c)) and a user subject to the compact basin commission requirements (under Section 110.501(e)). The final-form regulation should clearly state the recording frequency for those users that fall into multiple categories under this section.

Also, this section states that both withdrawals and uses should be reported weekly. Commentators indicated that it is hard to quantify consumptive uses and a monthly estimate would be more appropriate. Has the EQB considered monthly reporting for consumptive users?

14. Section 11.503. Measuring requirement in critical water planning areas.—Statutory authority; Reasonableness; Clarity.

This section would allow the Department to require increases in the accuracy and frequency of reports filed by users that exceed 10,000 gallons per day in any 30-day period if the Department determines this is necessary in a critical water planning area. One commentator asserted

that Section 3118 of the Act does not give the EQB the statutory authority to impose additional reporting, documentation and quantification requirements in critical water areas. We have identified two issues.

First, the Act does not appear to envision the prospect of increasing the stringency of reporting requirements in certain areas or for certain users. In fact, the opposite is true. Section 3118(b)(2) of the Act reads:

The regulations may provide for the adjustment of or variations in registration, recordkeeping or periodic reporting requirements for identified classification of user or volume of withdrawal if such requirements are *not* necessary to obtain information required to adequately assess water uses, monitor demands and otherwise prepare accurate and complete regional and State water plans and, if applicable, critical area resource plans. [Emphasis added.]

The EQB should clearly state its authority to require extra reporting in critical water planning areas.

Second, Subsection (a) states that the Department "may" require persons in a "critical water planning area" to measure or calculate their water withdrawals with greater accuracy and greater frequency. However, it is unclear when and how the Department will decide "that more accurate data is required." Subsection (b) states that the Department will consider the "necessity" for the data and the "costs to registrants" in making the determination. If this section is retained, the process and criteria for this determination need to be described. Also, the regulation should state that the "written notice" will include an explanation of the basis for the Department's determination.

15. Forms—Clarity.

Some sections in the proposed regulation require the completion of a form or forms prescribed by the Department. Will these forms be available on the Department's website? If not, how will affected parties obtain copies?

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 07-276. Filed for public inspection February 16, 2007, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market St., 14th Floor, Harrisburg at 10:30 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

This schedule is tentative. Please contact the Commission at (717) 783-5417 or check its website at www.irrc.state.pa.us for updates.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
18-398	Department of Transportation Driver's License Examination	2/1/07	3/1/07
18-407	Department of Transportation Prequalification of Bidders	2/5/07	3/1/07

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-4919	State Board of Medicine Registration and Practice of Acupuncturists	2/5/07	3/1/07

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 07-277. Filed for public inspection February 16, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

Agency Contract Termination of Black, Davis & Shue Agency, Inc. under Act 143; Eastern Alliance Insurance Group; Doc. No. AT06-12-013

A prereview conference initiated by this office is scheduled for February 28, 2007, at 10 a.m. A date for a review shall be determined, if necessary, at the prereview telephone conference.

Motion preliminary to those at the review, protests, petitions to intervene or notice of intervention, if any must be filed on or before February 15, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before February 21, 2007.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-278. Filed for public inspection February 16, 2007, 9:00 a.m.]

Altoona Hospital; Prehearing

Appeal of Altoona Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-12-029

On or before February 13, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's October 6, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for March 7, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 1, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before February 20, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Sev-

enth Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before February 27, 2007.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-279. Filed for public inspection February 16, 2007, 9:00 a.m.]

Application and Request for a Certificate of Authority

Homewood at Hanover PA, Inc. has applied for a continuing care provider certificate of authority to operate a facility located in Hanover, PA. The filing was received on February 5, 2007, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to 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. 07-280. Filed for public inspection February 16, 2007, 9:00 a.m.]

Bryn Mawr Hospital; Prehearing

Appeal of Bryn Mawr Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-12-028

On or before February 13, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's December 7, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for March 6, 2007. Each party shall provide a telephone number to

be used for the telephone conference to the Hearings Administrator on or before March 1, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before February 20, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before February 27, 2007.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-281. Filed for public inspection February 16, 2007, 9:00 a.m.]

Donna Dobrinski; Hearing

Appeal of Donna Dobrinski under 40 P. S. §§ 991.210—991.2193; UPMC Health Plan Doc. No. HC07-01-016

Under 40 P. S. §§ 991.2101—991.2193, notice is hereby given that the appellant in this action has requested a hearing, in connection with the appellant's managed health care plan. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedures) and any other relevant procedure provisions of law.

A prehearing telephone conference initiated by the Administrative Hearings Office shall be conducted on March 28, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 22, 2007.

Motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed on or before March 14, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene shall be filed on or before March 21, 2007.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-282. Filed for public inspection February 16, 2007, 9:00 a.m.]

Insurance Service Office, Inc.; Rate Filing for Private Passenger Automobile Loss Cost Revision

On February 1, 2007, the Insurance Department (Department) received from Insurance Services Office, Inc. a filing for a proposed loss cost level change for private passenger automobile insurance.

The advisory organization requests an overall 3.1% decrease in loss cost effective October 1, 2007.

Unless formal administrative action is taken prior to April 2, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

All interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, (e-mail: xlu@state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-283. Filed for public inspection February 16, 2007, 9:00 a.m.]

Donald Oakes; Prehearing

License Denial; Doc. No. AG07-01-007

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for March 7, 2007. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before March 2, 2007. A hearing shall occur on March 27, 2007, in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before February 21, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before February 28, 2007.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-284. Filed for public inspection February 16, 2007, 9:00 a.m.]

Sulochana Pradhan, M. D.; Prehearing

Appeal of Sulochana Pradhan, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-12-027

On or before February 8, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's November 7, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for March 1, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings

Administrator on or before February 26, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before February 15, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before February 22, 2007.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-285. Filed for public inspection February 16, 2007, 9:00 a.m.]

Ramana Petro, Inc.; Hearing

Appeal of Ramana Petro, Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 05-185(F); Doc. No. UT06-12-021

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on March 8, 2007. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102 on or before February 23, 2007. Answers to petitions to intervene, if any, shall be filed on or before March 1, 2007.

A date for a hearing shall be determined, if necessary, at the prehearing telephone conference.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-286. Filed for public inspection February 16, 2007, 9:00 a.m.]

Reighard's Service Station; Hearing

Appeal of Reighard's Service Station under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 95-147(M); Doc. No. UT07-01-003

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on February 28, 2007. A hearing shall occur on March 14, 2007, at 10 a.m. in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene,

notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address on or before March 5, 2007. Answers to petitions to intervene, if any, shall be filed on or before March 12, 2007.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-287. Filed for public inspection February 16, 2007, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearing will be held in accordance with the requirements of Act 68, 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Philadelphia. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Michael Aponti; file no. 06-265-29401; Bristol West Insurance Co.; doc. no. PH06-12-025; April 27, 2007, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-288. Filed for public inspection February 16, 2007, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. §§ 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Kenneth W. Kelly, file no. 06-266-28398; Utica First Insurance Company, doc. no. P06-12-023; February 15, 2007, 10 a.m.

Appeal of Juliet E. LeBoss; file no. 06-177-29387; State Farm Insurance Co.; doc. no. P06-12-024; February 27, 2007, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending.

Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing, and require an

auxiliary aid, service or other accommodation to participate in the hearing, contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-289. Filed for public inspection February 16, 2007, 9:00 a.m.]

Charles Sullivan M. D.; Prehearing

Appeal of Charles Sullivan, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-12-026

On or before February 8, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's November 29, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for March 1, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before February 26, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before February 15, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before February 22, 2007.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-290. Filed for public inspection February 16, 2007, 9:00 a.m.]

Young's Sales and Service; Prehearing

Appeal of Young's Sale and Service under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 00-284(M); Doc. No. UT06-12-014

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on March 6, 2007. A hearing shall occur on March 20, 2007, in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address

on or before February 23, 2007. Answers to petitions to intervene, if any, shall be filed on or before February 28, 2007.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-291. Filed for public inspection February 16, 2007, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), enacted on March 20, 2002, will hold a meeting of the Authority's 11 member Board of Directors on Monday, March 5, 2007, at 3:30 p.m. at the Wyndham Hotel and Conference Center, 95 Presidential Circle, Gettysburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL DOERING,
Interim Administrator

[Pa.B. Doc. No. 07-292. Filed for public inspection February 16, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Gas Service

A-121100 F2003. Equitable Gas Company. Application of Equitable Gas Company for approval of the abandonment of gas service to 26 field gathering line customers in Richhill Township, Greene County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 5, 2007. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Equitable Gas Company

Through and By Counsel: Charles E. Thomas, Jr., Esquire, Thomas T. Niesen, Esquire, Thomas, Thomas,

Armstrong & Niesen, 212 Locust Street, P. O. Box 9500,
Harrisburg, PA 17108-9500

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-293. Filed for public inspection February 16, 2007, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the 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 March 12, 2007. 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-00123445. Charles L. Sypolt, Jr. (372 Grant Street, Chambersburg, Franklin County, PA 17301)—persons, upon call or demand, in the Borough of Chambersburg, Franklin County.

A-00123455. Mary Ann Bower, t/d/b/a Mary Ann Bower Van Service (246 Summitville Road, New Holland, Lancaster County, PA 17557)—persons, in paratransit service, from points in the Counties of Lancaster, Lebanon, Perry, York, Dauphin and Berks, to points in Pennsylvania, and return; limited to the transportation of persons whose personal convictions prevent them from owning or operating motor vehicles.

Application of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as *common carrier* for the transportation of *household goods* as described under the application.

A-00123436. Troy A. Estep, t/a Estep's Hauling (430 2nd Avenue, Altoona, Blair County, PA 16602)—begin to transport household goods in use, from points in the Counties of Blair, Cambria and Centre, to points in Pennsylvania, and vice versa.

Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-00009329 F.32, Am-B. Fullington Trailways, LLC (316 East Cherry Street, Clearfield, Clearfield County, PA 16803), a limited liability company of the Commonwealth—certificate of public convenience to abandon/discontinue the rights to transport, as a common carrier, by motor vehicle, the transportation of persons on schedule, on a

guaranteed seat basis, between the City of Lewistown, Mifflin County and the City of Harrisburg, Dauphin County, over the following route: Beginning in the City of Lewistown, thence over US Highway Route 22—322 to the Mifflintown Exit, thence over US Highway Route 35 to Truck Stop No. 35, thence returning by means of Pennsylvania Highway Route 35 to US Highway Route 22—322, thence over said highway route to the Thompsontown Exit, thence by means of Thompsontown Exit and unnumbered highway to the Thompsontown V.F.W., returning by means of unnumbered highway route to US Highway Route 22—322 to the City of Harrisburg, with the right to deviate from said route: (a) 1/4 mile at the Millerstown Exit; (b) to the Borough of Newport, Perry County, at the Newport Exit; and (c) 1/4 mile at the Duncannon Exit; and return over the same route in the reverse direction; subject to the following conditions: Provided that the service herein authorized shall be limited to those persons commuting between places of their employment; provided that no right, power, or privilege is granted to render local service between points in the County of Dauphin; and provided that the service herein authorized shall be rendered on week days only with service from the City of Lewistown commencing between the hours of 6 and 7 a.m. and returning service from Harrisburg commencing between the hours of 4 and 5 p.m. *Attorney:* John A. Pillar, 680 Washington Road, Suite B101, Pittsburgh, PA 15228.

A-00009329 F.36, Am-B. Fullington Trailways, LLC (316 East Cherry Street, Clearfield, Clearfield County, PA 16803), a limited liability company of the Commonwealth—certificate of public convenience to abandon/discontinue the rights to transport, as a common carrier, by motor vehicle, the transportation of persons and their baggage on schedule, between points in the City of DuBois, Clearfield County, and the City of Erie, Erie County, over the following routes: Beginning in the City of DuBois; thence over US Traffic Route 219 to its intersection with Interstate Highway 80; thence on Interstate Highway 80 to its intersection with PA Traffic Route 68; thence on PA Traffic Route 68 to its intersection with US Traffic Route 322 in the Borough of Clarion, Clarion County; thence on US Traffic Route 322 to the City of Meadville and thence on US Traffic Route 322 and US Traffic Route 6 to its intersection with Interstate Highway 79; thence on Interstate Highway 79 to the City of Erie, Erie County, and return over the same route in the reverse direction; with the right to provide through service in conjunction with applicant's other certificated routes; *Alternate Route:* Beginning at the intersection of US Traffic Route 322 and PA Traffic Route 257 in Cranberry Township, Venango County; thence on PA Traffic Route 257 to the City of Oil City; thence over US Traffic Route 62 to its intersection with US Traffic Route 322 in the City of Franklin and return over the same route in the reverse direction with the right to provide through service in conjunction with applicant's other certificated routes. *Attorney:* John A. Pillar, 680 Washington Road, Suite B101, Pittsburgh, PA 15228.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Style Enterprises, Inc. t/a Style Logistics, 20 Ave. at The Common, Suite 203, Shrewsbury, NJ 07702; Doc. No. A-00120362C0601

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 del-

egated 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 all authority issued to Style Enterprises, Inc., respondent, is under suspension effective August 30, 2006, for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at Style Enterprises, Inc., t/a Style Logistics, 20 Ave. at The Common, Ste. 203, Shrewsbury, NJ 07702.

3. That respondent was issued a certificate of public convenience by this Commission on March 12, 2004, at Application Docket No. A-00120362.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance on file with this Commission.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c) and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within 20 days of the date of service of this complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00120362 for failure to maintain evidence of current insurance on file with the Commission; (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

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

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 that the Bureau will be able to prove 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, Chief of Enforcement
Motor Carrier Services and Enforcement
Division
Bureau of Transportation and Safety

NOTICE

A. You must file an Answer within twenty 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). An answer is a written explanation of circumstances wished to be considered in determining the outcome. 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 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 days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Under 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the

Compliance Office, Bureau of Transportation and Safety
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Upon receipt of the evidence of insurance from your insurer, the Complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE and FAXED FORMS Es and Hs ARE **UNACCEPTABLE** AS EVIDENCE OF INSURANCE.

D. 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, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. L. W. Shaffer, Jr.; Doc. No. A-00112678C0601

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. Under 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 L. W. Shaffer, Jr., respondent, maintains his principal place of business at 63 Dodds Avenue, Valencia, PA 16059.

2. That respondent was issued a certificate of public convenience by this Commission on May 31, 1996, at Application Docket No. A-00112678.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 2003, 2004 and 2005.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, failed to comply with the January 11, 1999 Commission Decision at P-981458 and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00112678.

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

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, Chief of Enforcement

NOTICE

A. You must file an answer within twenty 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). An answer is a written explanation of circumstances wished to be considered in determining the outcome. 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 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 days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

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, which may include the revocation of your Certificate of Public Convenience.

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. 07-294. Filed for public inspection February 16, 2007, 9:00 a.m.]

Telecommunications

A-310557F7001. Verizon North, Inc. and Access Point, Inc. Joint petition of Verizon North, Inc. and Access Point, Inc. for approval of Amendment Nos. 1 and 2 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, Inc. and Access Point, Inc., by its counsel, filed on February 5, 2007, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of Amendment Nos. 1 and 2 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and Access Point, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-295. Filed for public inspection February 16, 2007, 9:00 a.m.]

Tentative Order

Public Meeting held
January 26, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice Chairperson; Kim Pizzingrilli,
Terrance J. Fitzpatrick

Buzz Telecom Corporation (2007.0014); Doc. No. A-311216

Tentative Order

By the Commission:

Buzz Telecom Corporation ("Buzz Telecom") has failed to pay its \$62 general assessment for 2006-2007 pursuant to section 510(c) of the Public Utility Code. 66 Pa.C.S. § 510(c). Buzz Telecom is a telecommunications interexchange reseller certificated at A-311216, whose certificate of public convenience was issued on January 15, 2003. On or about August 21, 2006, Commission staff sent an invoice to Buzz Telecom notifying it that its 2006-2007 annual assessment was due. The Commission has not received payment for this invoice. Commission staff has attempted to reach Buzz Telecom, but staff's efforts have been unsuccessful. Further, according to an internet news source, sources at several different state regulatory agencies have reported that Buzz Telecom may

be out of business and that its internet website stopped functioning on December 19, 2006.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Based on the above and because of Buzz Telecom's failure to pay its annual assessment for 2006-2007, we believe it is appropriate to revoke Buzz Telecom's certificate of public convenience without the necessity of a formal complaint, and we tentatively conclude that revocation of Buzz Telecom's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Buzz Telecom seeks relief from this Tentative Order; *Therefore,*

It is Ordered That:

1. That revocation of Buzz Telecom's certificate of public convenience is hereby tentatively approved as being in the public interest.

2. That the Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. That absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. That upon this order becoming final, and without further action by the Commission, the certificate of public convenience held by Buzz Telecom at A-311216 shall be canceled and Buzz Telecom's name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the assessment section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-296. Filed for public inspection February 16, 2007, 9:00 a.m.]

Tentative Order

Public Meeting held
January 26, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice Chairperson; Kim Pizzingrilli,
Terrance J. Fitzpatrick

Application of PT-1 Long Distance Inc. (2007.0014); Doc. No. A-311008

Tentative Order

By the Commission:

PT-1 Long Distance Inc. (PT-1) has failed to pay its \$255 general assessment for 2006-2007 under 66 Pa.C.S. § 510(c). PT-1 is a telecommunications interexchange reseller certificated at A-311008, whose certificate of public convenience was issued on November 9, 2000. On or about August 21, 2006, Commission staff sent an invoice to PT-1 notifying it that its 2006-2007 annual

assessment was due. The Commission has not received payment for this invoice. Commission staff has attempted to reach PT-1, but staff's efforts have been unsuccessful. Further, Commission records indicate that PT-1 notified the Commission in May 2002 that it had filed a voluntary Chapter 11 bankruptcy petition and that it was transferring its long distance telephone customers to TTI National, Inc. By letter dated January 28, 2003, Secretary McNulty confirmed that the transfer of customers did not require Commission approval. While PT-1 did not subsequently request abandonment of its certificate of public convenience at the time, we believe PT-1 is no longer in business in Pennsylvania.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Based on the above and because of PT-1's failure to pay its annual assessment for 2006-2007, we believe it is appropriate to revoke PT-1's certificate of public convenience without the necessity of a formal complaint, and we tentatively conclude that revocation of PT-1's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if PT-1 seeks relief from this Tentative Order; *Therefore,*

It Is Ordered That:

1. Revocation of PT-1's certificate of public convenience is hereby tentatively approved as being in the public interest.
2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.
3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.
4. That upon this order becoming final, and without further action by the Commission, the certificate of public convenience held by PT-1 at A-311008 shall be canceled,

and PT-1's name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-297. Filed for public inspection February 16, 2007, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Brian A. McCarthy; Doc. No. 1814-51-05

On January 10, 2007, Brian McCarthy, of Bellefonte, Centre County, was denied application for professional nursing license by endorsement based on findings that he had disciplinary action taken against his nursing licenses by the proper licensing authority in other states, committed fraud or deceit in securing his admission to the practice of nursing in Pennsylvania and does not possess the good moral character required for licensure.

Individuals may obtain a copy of the adjudication by writing to Carmen L. Rivera, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of the petition for review. The Board contact for receiving service of the appeals is the previously named Board counsel.

MARY E. BOWEN, R. N., CRNP
Chairman

[Pa.B. Doc. No. 07-298. Filed for public inspection February 16, 2007, 9:00 a.m.]
