

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 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 16, 2004.

BANKING INSTITUTIONS

Holding Company Acquisition

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
3-10-04	Harleysville National Corporation, Harleysville, to acquire 100% of Millennium Bank, Malvern, by means of a merger of Millennium Bank with and into The Harleysville National Bank and Trust Company, wholly owned subsidiary of Harleysville National Corporation	Harleysville	Filed

Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-16-04	Meridian Bank Berwyn Chester County	Berwyn	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-16-04	Northwest Savings Bank, Warren, PA, and Leeds Federal Savings Bank, Baltimore, MD Surviving Institution— Northwest Savings Bank, Warren, PA	Warren	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-12-03	Premier Bank Doylestown Bucks County	801 Old York Road Jenkintown Abington Township Montgomery County	Opened
3-11-04	Northwest Savings Bank Warren Warren County	370 West Governor Road Hershey Derry Township Dauphin County	Opened

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-15-04	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	<i>To:</i> Southwest corner of Township Line Road and Peach Lane Drexel Hill Delaware County <i>From:</i> 1230 Township Line Road Drexel Hill Delaware County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-30-03	Farmers First Bank Lititz Lancaster County	1419 Lancaster Road Manheim Lancaster County	Effective

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
3-10-04	Smithfield State Bank Smithfield Fayette County	Amendment to Article 5 reflects an increase in the number of authorized shares from 3,600 to 2 million shares and a reduction in the par value from \$50 per share to 25¢ per share to allow for a 200 for 1 stock split of the bank's common shares.	Approved and Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-523. Filed for public inspection March 26, 2004, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA00587363	ARCCA Real Estate Corporation 2288 Second Street Pike Penns Park, PA 18943	Bucks County Wrightstown Township	UNT to Neshaminy Creek	Y
PA0042641	Department of Conservation and Natural Resources 2808 Three Mile Road Perkasie, PA 18944-2065	Bucks County Bedminster Township	Tohickon Creek	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063223	Martha J. Vetter P. O. Box 152 Damascus, PA 18415-0152	Wayne County Damascus Township	Delaware 1A	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0022543 Sewage	Borough of Bally S. 7th Street P. O. Box 217 Bally, PA 19503	Berk County Washington Township	West Branch Perkiomen Creek 3E	Y
PA0080241 Sewage	West Perry School District Middle/High School 2606 Shermans Valley Road Elliottsburg, PA 17024	Perry County Spring Township	Montour Creek 7A	Y
PA0082708 Sewage	Calamus Estates, LLP 652 Georgetown Road Ronks, PA 17572	Lancaster County Paradise Township	Calamus Run 7K	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.

PA0012190, Industrial Waste, SIC 3356, **Mueller Streamline Company**, 287 Wissahickon Avenue, North Wales, PA 19454. This facility is in Upper Gwynedd Township, **Montgomery County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge noncontact cooling water and stormwater from a facility that manufactures nonferrous tubing. There is no discharge of process wastewater.

The receiving stream, Wissahickon Creek, is in the State Water Plan watershed 3F and is classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Philadelphia Water Department is on the Schuylkill River, approximately 15.2 miles below the point of discharge.

The proposed effluent limits for Outfall 002 are based on a design flow of 0.002 mgd of noncontact cooling water and an average flow of a stormwater event. The limits are as follows:

Parameters	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum (mg/l)
	Average Monthly	Maximum Daily	Average Semiannual	Maximum Daily	
Temperature (NCCW)			6.0 Inst. Min.		110°F
pH Std. Units (NCCW)			Monitor and Report	Monitor and Report	9.0
pH (stormwater)			Monitor and Report	Monitor and Report	
CBOD ₅			Monitor and Report	Monitor and Report	
COD			Monitor and Report	Monitor and Report	
Oil and Grease			Monitor and Report	Monitor and Report	
Total Suspended Solids			Monitor and Report	Monitor and Report	
Total Kjeldahl Nitrogen			Monitor and Report	Monitor and Report	
Total Phosphorus			Monitor and Report	Monitor and Report	
Iron, Dissolved			Monitor and Report	Monitor and Report	
Lead, Total			Monitor and Report	Monitor and Report	
Chromium, Total			Monitor and Report	Monitor and Report	
Copper, Total			Monitor and Report	Monitor and Report	
Cadmium, Total			Monitor and Report	Monitor and Report	
Arsenic, Total			Monitor and Report	Monitor and Report	

The EPA waiver is in effect.

PA0027421, Sewage, SIC 4952, **Norristown Municipal Waste Authority**, 235 East Airy St., 2nd Floor, Norristown, PA 19401. This proposed facility is in Norristown Borough, **Montgomery County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated sewage from the Norristown Borough WWTP in Norristown Borough, Montgomery County. This is an existing discharge to the Schuylkill River.

The receiving stream, Schuylkill River, is in the State Water Plan watershed 3F and is classified for CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Philadelphia Water Department—Queen Lane Intake is on the Schuylkill River, 11.6 miles below the point of discharge.

The proposed effluent limits for Outfalls 001 and 002 are based on a design flow of 9.75 MGD.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum (mg/l)
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
CBOD ₅	2,030	3,250	25	40	50
Total Suspended Solids	2,440	3,660	30	45	60
Ammonia as N	1,630		20		40
Fecal Coliform			200#/100 mL		
Dissolved Oxygen			Monitor and Report		
pH			between 6—9 std. units at all times		
Total Residual Chlorine			0.5		
Total Copper			Monitor and Report		
Total Lead			Monitor and Report		
Total Zinc			Monitor and Report		

In addition to the effluent limits, the permit contains the following major special conditions: average weekly definition; remedial measures if unsatisfactory effluent; no new sources of stormwater; acquire necessary property rights; sludge report form and monthly operations report forms submission; test specifications; change in ownership; IW pretreatment; TRC data; sludge handling; discharge specific data; WET testing; CSO/LTCP requirement; and stormwater only outfall.

The EPA waiver is not in effect.

PA0051934, Sewage, **Limerick Township Municipal Authority**, 529 King Road, P. O. Box 29, Royersford, PA 19468. This proposed facility is in Limerick Township, **Montgomery County**.

Description of Proposed Activity: Discharge of treated sewage from King Road WWTP into the Schuylkill River in Limerick Township, Montgomery County.

The receiving stream, Schuylkill River, is in the State Water Plan watershed 3D and is classified for WWF and MF. The nearest downstream public water supply intake for Phoenixville is on the Schuylkill River, approximately 5 miles below the point of discharge.

The proposed effluent limits for Outfall 002 are based on a design flow of 1.6 MGD from permit issuance through completion of plant expansion are as follows:

Parameters	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
TSS	30	45	60
Ammonia as N	20		40
Fecal Coliform		#200/100 mL as geometric average	

NOTICES

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen	Monitor and Report within limits of 6.0 to 9.0 STD units at all times		
pH			
Total Residual Chlorine	0.5		1.2

The proposed effluent limits for Outfall 002 are based on a design flow of 1.7 MGD from completion of expansion of WWTP lasting through expiration are as follows:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Ammonia as N	20		40
Fecal Coliform	200/100 mL as geometric average		
Dissolved Oxygen	Monitor and Report within limits of 6.0 to 9.0 STD units at all times		
pH			

The proposed effluent limits for Outfalls 003, 004 and 005 are based on average stormwater from permit issuance through completion of plant expansion are as follows:

<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

The EPA waiver is not in effect.

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

PA0013862, SIC Code 2834, Industrial Waste, **Wyeth Pharmaceuticals, Inc.**, 206 North Biddle Street, Marietta, PA 17547. This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to the Susquehanna River in East Donegal Township, **Lancaster County**.

The receiving stream, Susquehanna River, is in Watershed 7-J and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Columbia Borough Water Authority is on the Susquehanna River. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 004 for a design flow of 0.321 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50	62.5
Total Suspended Solids	30	60	75
Total Phosphorus	2	4	5
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen	minimum 5.0 mg/l		
Fecal Coliform (10-1 to 4-30)	100,000/100 mL geometric mean		
(5-1 to 9-30)	200/100 mL geometric mean		
pH	6-9		
Total Copper	Monitor		
Total Mercury	Monitor		

The proposed effluent limits for Outfall 100 for a design flow of 0.2 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD ₅	45		
Total Suspended Solids	23.3		
COD	68	180	

The proposed effluent limits for Outfalls 002, 003 and 005—008 for stormwater are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD ₅		Monitor	
COD		Monitor	
Oil and Grease		Monitor	
pH		Monitor	
TSS		Monitor	
Total Kjeldahl Nitrogen		Monitor	
Total Phosphorus		Monitor	
Dissolved Iron		Monitor	

Individuals may make an appointment to review the Department files on this case by calling the File Review Coordinator at (717) 705-4732.

The EPA waiver is not in effect.

PA0087971, Industrial Waste, SIC Code Industrial Waste, **Bedford Water Authority**, 244 West Penn Street, Bedford, PA 15522. This facility is in Bedford Township, **Bedford County**.

Description of activity: Renewal of an NPDES permit for a existing discharge of treated industrial waste.

The receiving stream, an unnamed tributary to Raystown ranch Juniata River (Todd Spring Dam Reservoir), is in Watershed 11-C and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Bedford Water Authority is on an unnamed tributary to Raystown Branch Juniata River (Todd Spring Dam Reservoir). The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.079 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH (S. U.)		from 6.0 to 9.0 inclusive	
Total Suspended Solids	3.0	60	75
Iron (Total)	2.0	4.0	5.0
Aluminum (Total)	0.75	1.5	1.87
Manganese (Total)	1.0	2.0	2.5
Total Residual Chlorine	0.5	1.0	1.25

Individuals may make an appointment to review the Department files on this case by calling the File Review Coordinator at (717) 705-4732.

The EPA waiver is in effect.

PA0247481, CAFO, **Noah Kreider & Sons**, 1461 Lancaster Road, Manheim, PA 17545. This proposed facility is in South Annville Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Mt. Pleasant Farm is a new egg-layer agriculture facility. Total AEUs of chicken/layers is 7,539. They raise laying hens for the production of eggs, also onsite is an egg processing and packaging facility. The layer manure generated by the facility will be temporarily stored in specially designed stacking areas connected to the animal housing units. No other materials will be commingled with the layer manure. No freestanding aboveground liquid manure will be used for this operation. Instead, temporary stacking areas have been designed and constructed connected to the animal housing units. Manure will be stored within these specially designed stacking areas prior to exportation to other farms for their use as fertilizer replacement. The largest percentage of manure will be brokered off the farm. Manure will be applied as needed to the adjacent farm ground. Additionally, to the land application of layer manure there will be egg wash water land applied. The total acres of operation is approximately 117 acres. Total acres where nutrients will be applied is 72.3 owned acres; 35,469 tons of manure will be exported annually.

The receiving stream, Quittapahilla Creek, is in watershed 7D-Swatara Creek and classified for TSF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and The Clean Streams Law constitutes compliance with the State narrative water quality standards.

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

PA0097756, Industrial Waste, SIC, 4941, **Highland Sewer and Water Authority**, 120 Tank Drive, Johnstown, PA 15904. This application is for renewal of an NPDES permit to discharge treated filter backwash water and flow from sludge drying beds from the Beaverdam Water Treatment Plant in Summerhill Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Beaverdam Run, classified as a HQ CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Saltsburg Municipal Water Supply at Saltsburg, 50 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.17 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 (MGD)	0.5				
Total Suspended Solids			30		60
Total Iron			2		4
Aluminum (T)			0.7		1.4
Manganese (T)			1		2
Total Residual Chlorine			0.5		1
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0042579, Sewage, **Smith Machine, Inc.**, P. O. Box 126, 780 Route 519, Eighty Four, PA 15330. This application is for renewal of an NPDES permit to discharge treated sewage from the Smith Machine Sewage Treatment Plant in Somerset Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as storm drain to unnamed tributary of Little Chartiers Creek, which are classified as a HQ-WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the West View Borough Municipal Water Authority on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0015 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 mL as a geometric mean			
(10-1 to 4-30)	2,000/100 mL as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0204161, Sewage, **Valley School of Ligonier**, P. O. Box 616, Ligonier, PA 15658. This application is for renewal of an NPDES permit to discharge treated sewage from the Valley School of Ligonier Sewage Treatment Plant in Ligonier Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.00331 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	10.0			20.0
Fecal Coliform				
(5-1 to 9-30)	200/100 mL as a geometric mean			
(10-1 to 4-30)	10,000/100 mL as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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

WQM Permit No. 1503433, Sewerage, **East Fallowfield Township**, 100 Cheshire Court, Suite 204, Coatesville, PA 19320. This proposed facility is in East Fallowfield Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a wastewater pump station to serve a 27-lot single family residential subdivision.

WQM Permit No. 1503434, Sewerage, **Camphill Village—Kimberton Hills**, P. O. Box 1045, Camphill Drive, Kimberton, PA 19442. This proposed facility is in West Vincent Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a wetland community sewage treatment system for a private residential development.

WQM Permit No. 1503435, Sewerage, **Elverson Municipal Authority**, 101 South Chestnut Street, P. O. Box 266, Elverson, PA 19520. This proposed facility is in Borough of Elverson, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a new pumping station for a new elementary center.

WQM Permit No. 1503409, Amendment, Sewerage, **East Fallowfield Township**, 2264 Strasburg Road, East Fallowfield, PA 19320-4437. This proposed facility is in East Fallowfield Township, **Chester County**.

Description of Proposed Action/Activity: Amending existing sewage pump station with a new capacity of 52,764 gpd.

WQM Permit No. 0904402, Sewerage, **Scott and Michelle Schetter**, 408 A Walnut Avenue, Horsham, PA 19044. This proposed facility is in West Rockhill Township, **Bucks County**.

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

WQM Permit No. 4604404, Sewerage, **Roger Eastman**, 76 Smith Road, Collegeville, PA 19426. This proposed facility is in Lower Providence Township, **Montgomery County**.

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

WQM Permit No. 0903420, Sewerage, **Warminster Municipal Authority**, P. O. Box 2279, Warminster, PA 18974. This proposed facility is in Warminster Township, **Bucks County**.

Description of Proposed Action/Activity: Replacement of sewage ejector station no. 11 with a new pumping station.

WQM Permit No. 1503415, Sewerage, **Borough of Kennett Square**, 120 North Broad Street, Kennett Square, PA 19348. This proposed facility is in Kennett Square Borough, **Chester County**.

Description of Proposed Action/Activity: Wastewater treatment facility design organic loading rerate.

WQM Permit No. 4604406, Sewerage, **Lower Perkiomen Valley Regional**, 5 River Road, P. O. Box 613, Oaks, PA 19456-0613. This proposed facility is in Upper Providence Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of the Oaks wastewater treatment plant to expand from 9.5 mgd to 14.25 mgd.

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

WQM Permit No. 4504402, **Alpine Rose Resorts Development**, 100 Ivy Hill Circle, Reading, PA 19606-9450. This proposed facility is in Eldred Township, **Monroe County**.

Description of Proposed Action/Activity: This project consists of the construction of a .012 mgd wastewater treatment facility and spray irrigation system to serve the Alpine Rose Resorts Development.

WQM Permit No. 5804402, **Camp Chen-A-Wanda**, 8 Claverton Court, Dix Hills, NY 11747. This proposed facility is in Ararat Township, **Susquehanna County**.

Description of Proposed Action/Activity: This project consists of the construction of a flow equalization tank to aid in overall treatment plant operation.

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

WQM Permit No. 6704406, Sewerage, **New Salem Borough**, 80 N. Water Street, P. O. Box 243, York New Salem, PA 17371. This proposed facility is in New Salem Borough, **York County**.

Description of Proposed Action/Activity: Construction of a sanitary sewer system for New Salem Borough with conveyance to North Codorus Township STP.

WQM Permit No. 2804401, Sewerage, **Foremost Industries, Inc.**, 2375 Buchanan Trail West, Greencastle, PA 17225. This proposed facility is in Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity: Construction of sewage treatment facilities to serve their central production and warehouse facility.

WQM Permit No. 3604409, Sewerage, **Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552. This proposed facility is in Mt. Joy Borough, **Lancaster County**.

Description of Proposed Action/Activity: Replacement and upgrade of pump station no. 1.

WQM Permit No. 3604410, Sewerage, **West Earl Sewer Authority**, 157 West Metzler Road, Brownstown, PA 17508. This proposed facility is in West Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Replacement of the Main Street sewer interceptor.

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

WQM Permit No. 3704403, Sewerage, **Neshannock Township Sewer Department**, 3131 Mercer Road, New Castle, PA 16105. This proposed facility is in Neshannock Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for the construction of an interceptor and pump station to provide service to the proposed Millennium Technology Park to be on the east side of the Shenango River.

WQM Permit No. 3704404, Sewerage, **Edgewood Group Home, Human Services Center**, 130 West North Street, New Castle, PA 16101. This proposed facility is in Pulaski Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage treatment facility to serve an existing residence which houses eight autistic adults and a proposed residence to house eight elderly adults.

WQM Permit No. 1604401, Sewerage, **George A. White, Riverview Campground**, 587 Whitestown Road, Butler, PA 16001. This proposed facility is in Brady Township, **Clarion County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility to serve a private campground.

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

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

NPDES Permit

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024504006	East Stroudsburg Area School District P. O. Box 298 East Stroudsburg, PA 18301	Monroe	Smithfield Township	Marshalls Creek HQ-CWF Delaware River WWF, MF
PAS10S036-1-R	Romec, Inc. P. O. Box 99 Pocono Lake, PA 18347	Monroe	Stroud Township	Flagler Run HQ-CWF Wigwam Run HQ-CWF

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

NPDES Permit

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804006	David Jaindl Jaindl Land Company 3150 Coffeetown Rd. Orefield, PA 18069	Northampton	Hanover and Lower Nazareth Townships	Monocacy Creek HQ-CWF
PAI024804007	Northampton Hospital Corp. 250 South 21st St. Easton, PA 18042	Northampton	Wilson Borough	Bushkill Creek HQ-CWF
PAI024804008	Industrial Development International, Inc. Monarch Tower, Suite 1500 3424 Peachtree Road, N. E. Atlanta, GA 30326	Northampton	Hanover Township	Monocacy Creek HQ-CWF
PAI024804009	City of Bethlehem Steve DeSalva 10 E. Church St. Bethlehem, PA 18018	Northampton	City of Bethlehem Northampton/ Lehigh Counties	Monocacy Creek HQ-CWF
PAI024804010	Modern Concrete, Inc. 2863 Brodhead Rd. Bethlehem, PA 18020	Northampton	Forks Township	Bushkill Creek HQ-CWF

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

Westmoreland County Conservation District: Center for Conservation Education, 211 Donohoe Road, Greensburg, PA 15601.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056504003	Bruce Henderson P. O. Box 945 Ligonier, PA 15658	Westmoreland	Ligonier Township	Tributary to North Fork HQ-CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 5004501, Public Water Supply.

Applicant	Countryside Mobile Home Park
Municipality	Carroll Township
County	Perry
Responsible Official	Edward M. Jones, Owner 7048 Wertzville Road Mechanicsburg, PA 17050
Type of Facility	PWS
Consulting Engineer	Stephen R. Morse, P. E. Skelly and Loy, Inc. 2601 North Front Street Harrisburg, PA 17110-1185
Application Received Date	February 4, 2004
Description of Action	Installation of manganese control equipment to the existing public water supply.

Permit No. 0504502, Public Water Supply.

Applicant	Bedford Township Municipal Authority
Municipality	Bedford Township
County	Bedford
Responsible Official	Owen K. Crist P. O. Box 371 Bedford, PA 15522
Type of Facility	PWS
Consulting Engineer	Timothy A. Cooper, P. E. Stiffler McGraw & Associates Inc. 19 N. Juniata Street Hollidaysburg, PA 16648
Application Received Date	February 10, 2004
Description of Action	Installation of 15,000 LF of water main, three pressure reducing stations, five fire hydrants, change of well no. 1 pump from a 30 hp to a 40 hp and change of ownership of 4,000 feet of water main from the Borough of Bedford.

Permit No. 0603505, Public Water Supply.
 Applicant **Century Land Development Co.**
 Municipality Marion Township
 County **Berks**
 Responsible Official Mark Powell, Owner, Developer
 14 Summerhill Drive
 Sinking Spring, PA 19608
 Type of Facility PWS
 Consulting Engineer Michael S. Moulds
 Hanover Engineering Associates Inc.
 20C Snyder Lane
 Ephrata, PA 17522
 Application Received Date November 18, 2003
 Description of Action New Community Water System—Well source, distribution system, nitrate treatment and disinfection facilities.

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

Permit No. Minor Amendment, Public Water Supply.
 Applicant **Boggs Township
 William Griffith
 Boggs Township Board of Supervisors**
 1270 Runville Road
 Bellefonte, PA 16823
 Township Boggs Township, **Centre County**
 Responsible Official Boggs Township
 William Griffith
 Boggs Township Board of Supervisors
 1270 Runville Road
 Bellefonte, PA 16823
 Type of Facility PWS
 Consulting Engineer Damon B. Wellman, P. E.
 Modern Pump and Equipment, Inc.
 P. O. Box H
 709 East Sunbury Street
 Millerstown, PA 17063
 Application Received Date March 10, 2004
 Description of Action Well no. 2 revitalization-replacement of the existing 500 gpm raw water supply pump. Pump and controls are to be used as a back-up system for the existing well no. 1 raw water supply. New pump capacity will be 50 to 80 gpm and will be operated on a manual on/off switch.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

Thelma H. McGrail Trust, Parkesburg Borough, **Chester County**. William F. Beers, Tetrahedron Consultants, Inc., P. O. Box 152, Oxford, PA 19363, on behalf of Thelma H. McGrail Trust, Daniel A. Winters, Trustee, 205 Chadds Ford Professional Center, Chadds Ford, PA 19317, has submitted a Notice of Intent to Remediate soils contaminated with inorganics and PCB. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on November 28, 2003.

Darby Creek Joint Authority Former Sewage Treatment Plant, Darby Township, **Delaware County**. Edward Kashdan, Gannett Fleming, Inc., P. O. Box 80794, Valley Forge, PA 19484-0794, on behalf of Darby Creek Joint Authority, Charles Barton, Chairperson, c/o DELCORA, 100 E. Fifth St., P. O. Box 999, Chester, PA 19016-0999, has submitted a Notice of Intent to Remediate soils contaminated with inorganics, PAH and PCB; and groundwater contaminated with inorganics. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Times* on February 17, 2004.

Essington Sunoco Pipeline Release Site, Tinicum Township, **Delaware County**. James H. Mulry, Mulry and Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 3, Glenmoore, PA 19343, on behalf of Sunoco, Inc., Bradford L. Fish, P. O. Box 1135, Marcus Hook, PA 19061, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with fuel oil no. 2, MTBE and unleaded gasoline. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Times* on February 12, 2004.

Former Jesse Jones Box Corp. (Currently All American Supply Co.), City of Philadelphia, **Philadelphia County**. Timothy M. O'Hare, RT Environmental Services, Inc., 510 Heron Dr., P. O. Box 521, Bridgeport, NJ 08014, on behalf of Peter Choi, All American Supply Co., 499 E. Erie Ave., Philadelphia, PA 19124, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with fuel oil no. 2 and leaded gasoline. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Inquirer* on March 1, 2004.

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

656 North 12th Street Property, City of Lebanon, **Lebanon County**. MACTEC Engineering and Consulting, Inc., 5205 Militia Hill Road, Plymouth Meeting, PA 19462, on behalf of Beneficial Communities, LLC, 3131 Clark Road, Suite 203, Sarasota, FL 34231 and George Christianson, 411 Chestnut Street, Lebanon, PA 17042, submitted a Notice of Intent to Remediate site soils contaminated with inorganics. The applicant proposes to remediate the site to meet the Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lebanon Daily News* on February 9, 2004.

Reading Eagle Spruce Street Distribution Facility, City of Reading, **Berks County**. Synergy Environ-

mental Inc., 607 Washington Street, Reading, PA 19601, on behalf of Reading Eagle Company/Reagle Realty Company, 345 Penn Street, P. O. Box 582, Reading, PA 19603-0582, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents, lead and other organics. The applicant proposes to remediate the site to meet the Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Eagle* on February 26, 2004.

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.

54-322-005: Commonwealth Environmental System LP (P. O. Box 249, Dunmore, PA 18512) for expansion of their CES Landfill in Foster Township, **Schuylkill County**.

39-316-004: North American Container Corp. (2027 South 12th Street, Building 3, Allentown, PA 18103) for installation of an air cleaning device to control a sawing operation at their facility in Allentown, **Lehigh County**.

48-318-135: CF Martin Guitar and Co. (510 Sycamore Street, Nazareth, PA 18064) for modification of paint booth 108 to replace a wet filtering system with panel filters at their facility in Upper Nazareth Township, **Northampton County**.

35-305-003: Northampton Fuel Supply Co., Inc. (7500 Georgetown Road, Suite 13, Bethesda, MD 20814) for construction of a coal preparation plant and associated air cleaning device at their Powderly Bank Wet Mobile Processing Plant, Mayfield Borough and Carbondale Township, **Lackawanna County**.

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

06-05078E: FR and S, Inc. (727 Red Lane Road, Birdsboro, PA 19508) for installation of a second enclosed ground flare to control emissions from a municipal solid waste landfill in Exeter Township, **Berks County**. The source is subject to 40 CFR Part 60, Standards of Performance for New Stationary Sources and Part 63, National Emission Standards for Hazardous Air Pollutants from Municipal Solid Waste Landfills.

44-05002C: CNH America LLC (P. O. Box 868, Belleville, PA 17004) for installation of a replacement paint spray booth at their farm equipment manufacturing facility in Union Township, **Mifflin County**. The replacement will not measurably impact emissions from the facility. The facility is a major source subject to Title V and 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products.

67-05012A: Transcontinental Gas Pipe Line Corp. (2800 Post Oak Boulevard (7705G), P. O. Box 1396, Houston, TX 77251-1396) for installation of NOx controls on two engines at their Station 195 facility in Peach Bottom Township, **York County**.

67-05101B: Kinsley Construction, Inc. (P. O. Box 2886, York, PA 17403) for modification of fuel oil requirements at their drum mix asphalt plant in West Manchester Township, **York County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 823-7584.

AMS 04072: Naval Surface Warfare Division—Ship System Engineering Station (5001 South Broad Street, Code 357, Philadelphia, PA 19112) for transfer of 30.5 tons of NOx and 249.66 tons of VOC emission reduction credits to offset 171.2 tons of NOx emission increase authorized by Plan Approval 03165 in Philadelphia, **Philadelphia County**.

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

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

46-0242: BAE Systems Aerospace Electronics, Inc. (305 Richardson Road, Lansdale, PA) for modification of two natural gas-fired internal combustion engines and to install a nonselective catalytic reduction (NSCR) control in Montgomery Township, **Montgomery County**. This facility is a Major for NOx. Emissions from these two engines reduced to 16.22 tons of NOx using NSCR control and restricted operating hours. 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.

23-0098: SAP America, Inc. (3999 West Chester Pike, Newtown Square, PA 19073) for installation of three dual fired boilers (6.28 mmBtu/hr each), four no. 2 fuel oil fired emergency generators (1.46 mW each) and one natural gas fired hot water heater (0.73 mmBtu/hr), at their facility in Newtown Township, **Delaware County**. This facility is a non-Title V facility. Facility-wide NOx emissions will not exceed 24 tpy and facility-wide VOC emissions will not exceed 1 tpy. The boilers and hot water are exempt sources. The only source requiring a Plan Approval and Operating Permit are the four emergency generators.

The emergency generators are equipped with turbo-charger and after-cooler. They shall only be used as a backup power source in the event of a blackout or power interruption. Potential emissions of NOx from the emergency generators shall be less than 12 tpy. Potential emissions of CO from the emergency generators shall each be less than 9 tons per year. Emissions of VOCs, PM and SOx from the emergency generators will each be less than 1 ton per year. The emergency generators will be restricted to a total of 500 hours of operation per year. The Plan Approval will contain recordkeeping and further operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

67-05103A: Metropolitan Edison Co. (P. O. Box 16001, Reading, PA 19612-6001) for construction of eight 2,000 kW diesel-fired electrical generating units at their Menges Mills Substation in Jackson Township, **York County**. The facility has the following annual potential emissions: 72.6 tons NOx, 11.6 tons SOx, 10.2 tons CO, 1.8 tons VOC and 0.4 ton PM10. The plan approval and subsequent 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.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 823-7584.

AMS 04058: Philadelphian Condominium (2401 Pennsylvania Avenue, Philadelphia, PA 19130) for permitting use of natural gas in four existing boilers and operation of an existing dual fuel IC engine generator with no. 2 fuel oil only for up to 90 days in any rolling 12-month period in Philadelphia, **Philadelphia County**. This is a Title V facility. There will no increase in any existing permit limits as a consequence of these changes. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

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

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

54-00060: Woodland Crematorium, Inc. (1 Meadow Drive, Auburn, PA 17922) for operation of a crematorium in South Manheim Township, **Schuylkill County**.

39-00033: Lutron Electronics Co., Inc. (7200 Sutter Road, Coopersburg, PA 18036) for manufacture of electrical lighting controls in Lower Macungie Township, **Lehigh County**.

39-00063: F. L. SMIDTH, Inc. (P. O. Box 189, Catasauqua, PA 18032) for operation of a fabricated plate operation in Catasauqua Borough, **Lehigh County**.

45-00001: East Stroudsburg University (200 Prospect Street, East Stroudsburg, PA 18301) for operation of boilers in East Stroudsburg Borough, **Monroe County**.

39-00068: Ransom Industries, LP (101 North Church Street, Macungie, PA 18062-1180) for operation of a foundry in Macungie Borough, **Lehigh County**.

45-00015: Selig Construction Co., Inc. (HC 88, Box 185, Pocono Lake, PA 18347) for the mining and quarry operation in Tobyhanna Township, **Monroe County**.

48-00002: Maier's Bakery (2400 Northampton Street, Easton, PA 18042) for operation of a bakery in Palmer Township, **Northampton County**.

39-00058: Packaging Corporation of America (P. O. Box 58, Trexlertown, PA 18087) for manufacture of corrugated and solid fiber boxes in Upper Macungie Township, **Lehigh County**.

45-00025: Kulp Foundry, Inc. (30 Stokes Avenue, East Stroudsburg, PA 18301) for operation of a foundry in Stroud Township, **Monroe County**.

48-00061: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for operation of an asphalt plant in Lower Mt. Bethel Township, **Northampton County**.

48-00064: Ungerer and Company (110 North Commerce Way, Bethlehem, PA 18017) for the operation of a boiler and spray driers in Hanover Township, **Northampton County**.

39-00066: Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034) for the operation of a stone crushing operation in Whitehall Township, **Lehigh County**.

40-00072: Genova Products, Inc. (502 Forest Road, Hazleton, PA 18202) for the manufacture of plastic and PVC products in Hazle Township, **Luzerne County**.

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:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	3.0mg/l	6.0mg/l	7.0mg/l
Manganese (total)	2.0mg/l	4.0mg/l	5.0mg/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.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

54860204R3 and NPDES Permit No. PA0593486. Premium Fine Coal, Inc. (72 Lafayette Avenue, Tamaqua, PA 18252), renewal of an existing coal refuse reprocessing operation in Walker Township, **Schuylkill County**, affecting 57.0 acres. Receiving streams: Little Schuylkill River. Application received March 5, 2004.

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

32901602. NPDES Permit No. PA0214442, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to revise the permit for the I-22 Tipple in Burrell Township, **Indiana County** and related NPDES permit. No additional discharges. Application received February 18, 2004.

63841302. NPDES Permit No. PA0090689, Maple Creek Mining, Inc. (981 Route 917, Bentleyville, PA 15314), to revise the permit for the Maple Creek Mine in Carroll, Fallowfield, Nottingham and Somerset Townships, **Washington County**, to change the post-mining surface land use at Ginger Hill Shaft, Spinner Shaft, Park Shaft, Valley Shaft, Cherokee Shaft, Hazel-Kirk Supply Yard and Slurry Pond No. 2 Area. No additional discharges. Application received February 6, 2004.

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

16840104 and NPDES Permit No. PA0602451. Ancient Sun, Inc. (P. O. Box 129, Shippensburg, PA 16254), renewal of an existing bituminous surface strip and auger operation in Toby and Perry Townships, **Clarion County**, affecting 116.7 acres. Receiving streams: unnamed tributary to Black Fox Run, Black Fox Run and the Allegheny River (WWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received March 8, 2004.

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

32040101 and NPDES Permit No. PA0249548. Twin Brook Coal, Inc. (P. O. Box 225, Clymer, PA 15728), commencement, operation and restoration of a bituminous surface and auger mine in Green Township, **Indiana County**, affecting 41.0 acres. Receiving streams: unnamed tributary to Dixon Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received January 30, 2004.

32000102. Britt Energies, Inc. (2450 Philadelphia Street, Indiana, PA 15701), surface mining permit renewal in White Township, **Indiana County**, affecting 1,053 acres. Receiving streams: Yellow Creek (TSF) and UNT to Yellow Creek (CWF). There are no potable water supply intakes within 10 miles, downstream. Application received March 10, 2004.

32830113 and NPDES Permit No. PA0605778. Beilchick Brothers (P. O. Box 7, Heilwood, PA 15745), SMP renewal in Buffington Township, **Indiana County**, affecting 410.5 acres. Receiving streams: UNT to Mardis Run and Mardis Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 10, 2004.

07920101 and NPDES Permit No. PA0599581. Cooney Brothers Coal Company (P. O. Box 246, Cresson, PA 16630), SMP Transfer to E. P. Bender Coal Company, Inc. (P. O. Box 594, Carrolltown, PA 15722) in Allegheny Township, **Cambria County**, affecting 474 acres. Receiving streams: UNTs to Sugar Run and Sugar Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 8, 2004.

56930109 and NPDES Permit No. PA0212571. Mountaineer Mining Corporation (1010 Garrett Shortcut Road, Berlin, PA 15530), permit renewal, reclamation only in Jenner Township, **Somerset County**, affecting 57 acres. Receiving streams: Flat Run and Roaring Run to Quemahoning Creek to Stonycreek (CWF). The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Quemahoning Surface Water Withdrawal. Application received February 26, 2004.

32020107 and NPDES Permit No. PA0249092. KMP Associates (1094 Lantz Road, Avonmore, PA 15618), SMP Transfer to KMP Associates, Inc. (1094 Lantz Road, Avonmore, PA 15618) in Blacklick Township, **Indiana County**, affecting 59.1 acres. Receiving streams: two UNTs to Aultman's Run and Aultman's Run (TSF). The first downstream potable water supply intake from the point of discharge is the Saltsburg Borough Indiana

County Municipal Waterworks Conemaugh River Surface Withdrawal. Application received February 18, 2004.

32940109 and NPDES Permit No. PA0212954. KMP Associates (1094 Lantz Road, Avonmore, PA 15618), SMP Transfer to KMP Associates, Inc. (1094 Lantz Road, Avonmore, PA 15618) in Young Township, **Indiana County**, affecting 133.1 acres. Receiving streams: UNT to and Whiskey Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received February 18, 2004.

32990110 and NPDES Permit No. PA0235164. KMP Associates (1094 Lantz Road, Avonmore, PA 15618) and SMP Transfer to KMP Associates, Inc. (1094 Lantz Road, Avonmore, PA 15618) in Young Township, **Indiana County**, affecting 41.3 acres. Receiving streams: UNT to Harpers Run, Harpers Run, Blacklegs Creek and Kiskiminetas River (CWF and WWF). There are no potable water supply intakes within 10 miles downstream. Application received February 18, 2004.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.

03803044 and NPDES Permit No. PA0126375. C. H. Snyder Company (P. O. Box 1022, Kittanning, PA 16201). NPDES renewal of an existing surface mine in East Franklin Township, **Armstrong County**, affecting 97.9 acres. Receiving streams: unnamed tributary to Limestone Run (CWF). The first potable water supply intake within 10 miles downstream from the point of discharge is the Cadogan Water Company. Renewal application received March 8, 2004.

03010102 and NPDES Permit No. PA0202941. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Renewal application for an existing bituminous surface mine in Boggs Township, **Armstrong County**, affecting 115.8 acres. Receiving streams: Scrubgrass Creek to Mahoning Creek (CWF). There is no potable water supply intake within 10 miles from the point of discharge. Renewal application received March 8, 2004.

26990103 and NPDES Permit No. PA0202576. Amerikohl Mining, Inc. (P. O. Box 427, Acme, PA 15610). Renewal application for reclamation only of an existing bituminous surface mine in Springfield Township, **Fayette County**, affecting 58 acres. Receiving streams: unnamed tributary to Popular Run and Popular Run (CWF). The first potable water supply intake within 10 miles downstream from the point of discharge is the Indian Creek Valley Water Authority. Renewal application received March 10, 2004.

03930107 and NPDES Permit No. PA0200425. B & B Coal Mining, Inc. (R. D. 7, Box 375B, Kittanning, PA 16201). Renewal application for reclamation only of an existing bituminous surface mine in Wayne Township, **Armstrong County**, affecting 71.7 acres. Receiving streams: Mahoning Creek and unnamed tributaries to Mahoning Creek (CWF). There is no potable water supply intake within 10 miles from the point of discharge. Renewal application received March 12, 2004.

Noncoal Applications Received

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	

*The parameter is applicable at all times.

A settleable solids instantaneous maximum of 0.5 mL/l applied to surface runoff resulting from a precipitation 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 17901-2454, (570) 621-3118.

6875SM3C4 and NPDES Permit No. PA0612383. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES Permit for discharge of treated mine drainage in Armagh Township, **Mifflin County**, receiving streams: Laurel Creek (HQ CWF). Application received March 3, 2004.

44930301C4 and NPDES Permit No. PA0595985. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES Permit for discharge of treated mine drainage in Armagh Township, **Mifflin County**. Receiving streams: Laurel Creek (HQ-CWF). Application received March 3, 2004.

8074SM3C8 and NPDES Permit No. PA0118443. M & M Stone Company (2840 West Clymer Ave., P. O. Box 189, Telford, PA 18969-0189), renewal of NPDES Permit for discharge of treated mine drainage in Lower Salford Township, **Montgomery County**. Receiving

streams: East Branch Perkiomen Creek and Perkiomen Creek (TSF). Application received March 8, 2004.

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

3072SM3. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201-5022), renewal of NPDES Permit No. PA0605336, Mercer Township, **Butler County**. Receiving streams: two unnamed tributaries to McMurray Run, McMurray Run and an unnamed tributary to North Branch Slippery Rock Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. NPDES Renewal application received March 5, 2004.

3076SM24. H & H Materials, Inc. (190 Canon Road, Stoneboro, PA 16153), renewal of NPDES Permit No. PA0212083, New Vernon Township, **Mercer County**. Receiving streams: Little Shenango River (TSF). There are no potable surface water supply intakes within 10 miles downstream. NPDES Renewal application received March 11, 2004.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.

3172SM4 and NPDES Permit No. PA0203289. Darlingston Brick & Clay Products Co., LLC (P. O.

Box 346, Darlington, PA 16115), NPDES renewal for continued mining of an industrial mineral surface mine in South Beaver Township, **Beaver County**, affecting 146 acres. Receiving streams: unnamed tributaries to Brush Run (CWF). There is no potable water supply intake within 10 miles from the point of discharge. Renewal application received March 8, 2004.

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

08010820. Gary R. Bartholomew (R. R. 1, Box 256-C, Monroeton, PA 18823), transfer of an existing small industrials (flagstone) permit from Benjamin Stone in Sheshequin Township, **Bradford County**, affecting 3 acres. Receiving streams: unnamed tributary to Susquehanna River. Application received January 28, 2004.

14032801. Raducz Stone Corporation (284 Rockdale Road, Butler, PA 16002), transfer of an existing small industrials minerals (sandstone) permit application, from Two Rock Stone Company. The permit is in Howard Township, **Centre County** and affects 7 acres. Receiving streams; Bald Eagle Creek, tributary to West Branch Susquehanna River. Application received February 13, 2004.

14022801. Raducz Stone Corporation (284 Rockdale Road, Butler, PA 16002), transfer of an existing small industrial minerals (sandstone) permit from Two Rock Stone Company. The permit is in Howard and Marion Townships, **Centre County** and affects 5 acres. Receiving streams: Lick Run and Bald Eagle Creek, tributary to Bald Eagle Creek. Application received February 23, 2004.

53040801. Gary L. Reese (156 Cherry Spring Road, Coudersport, PA 16915), commencement, operation and restoration of a small industrial minerals (bluestone) permit in Sweden Township, **Potter County**, affecting 3.0 acres. Receiving streams: Mill Creek. Application received January 29, 2004.

08040801. Walter Flagstone, Inc. (R. R. 1, Box 40, Sugar Run, PA 188460), commencement, operation and restoration of a small industrial minerals (flagstone/shale) permit in Stevens Township, **Bradford County**, affecting 5 acres. Receiving streams: unnamed tributary to Cold Creek, Cold Creek, Wyalusing Creek. Application received February 4, 2004.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E35-370. Karf, LLC, 1000 Green Briar Drive, Clarks Summit, PA 18411 in Clarks Summit Borough, **Lackawanna County**, U. S. Army Corps of Engineers, Baltimore District.

To construct and maintain several commercial buildings in the floodway of a tributary to Leggetts Creek (CWF). The project is on the northeast side of Routes 6 and 11, approximately 0.4 mile southeast of its intersection with SR 0407 (Grove Street) (Scranton, PA Quadrangle N: 20.4 inches; W: 9.8 inches).

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

E50-222: Department of Transportation, District 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Northeast Madison Township, **Perry County**, ACOE Baltimore District.

To remove the existing bridge and then to construct and maintain a 14-foot by 5-foot concrete box culvert at the channel of Little Valley Creek (CWF) on SR 0850, Section 004, Segment 0030, Offset 2250, about 2.4 miles east of Honey Grove Village (McCoysville, PA Quadrangle N: 5.1 inches; W: 2.2 inches) in Northeast Madison Township, Perry County.

E22-466: Derry Township Municipal Authority, 670 Clearwater Road, Hershey, PA 17033 in Derry Township, **Dauphin County**, ACOE Baltimore District.

To extend and maintain an existing 42-inch diameter outfall into the Swatara Creek (WWF) for the purpose of updating to meet Act 537 requirements, to the north of the Clearwater Road Wastewater Treatment Plant (Hershey, PA Quadrangle N: 6.7 inches; W: 8.4 inches) in Derry Township, Dauphin County.

E21-315: Logans Run Associates, 15 Central Blvd., Camp Hill, PA 17011 East Pennsboro Township, **Cumberland County**, ACOE Baltimore District.

To: (1) fill and maintain 0.266 acre of wetlands; (2) install and maintain one 36-inch by 22-inch corrugated metal arch pipe; and (3) install and maintain one 18-inch corrugated metal storm sewer and one 8-inch PVC sanitary sewer line, to cross wetlands and an unnamed tributary to the Conodoguinet Creek (WWF), for the purpose of completing construction on the Penn Valley Development, approximately 0.6 mile north of Wertzville Road (SR 0944) and along the west side of Salt Road (Harrisburg West, PA Quadrangle N: 7.95 inches; W: 11.1 inches) in East Pennsboro Township, Cumberland County. The permittee is required to provide a minimum of 0.381 acre of replacement wetlands.

E07-385: Ansley RV, Inc., P. O. Box 239, Duncansville, PA 16635 in Allegheny Township, **Blair County**, ACOE Baltimore District.

To construct and maintain 93 lineal feet of 48-inch smooth walled plastic pipe, two 15-inch smooth walled plastic pipe stormwater outfall structures and the placement of associated fill within the floodway of an UNT to Gillians Run (CWF) for the purpose of expanding a business parking lot (Hollidaysburg, PA Quadrangle N: 10.8 inches; W: 9.0 inches) in Allegheny Township, Blair County. The proposed project will result in 105 feet of impacts to the channel of UNT to Gillians Run.

E05-321: Jeff Lesak, 321 Leonard Road, Alum Bank, PA 15521 in West St. Clair Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain a stream rehabilitation project on an unnamed tributary to Ryot Run (WWF), a perennial stream, beginning at a point approximately 2,300 feet upstream of SR 4024 (Ogeltown, PA Quadrangle N: 5.95 inches; W: 6.3 inches) and extending to a point 1,158 feet upstream (Ogeltown, PA Quadrangle N: 6.2 inches; W: 6.5 inches) using a natural stream channel design approach involving floodway excavation, filling and grading, the placement of 14 rock and 1 log cross vane, 5 rock and 4 log J-hook vanes and 6 step-pool structures for the purpose of improving channel stability and aquatic habitat in West Saint Claire Township, Bedford County. The project proposes to directly affect 1,158 feet of an unnamed tributary to Ryot Run.

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

E14-456. Ferguson Township, 3147 Research Drive, State College, PA 16801. Shadow Oaks Drainage Improvement Project in Ferguson Township, **Centre County**, ACOE Baltimore District (Pine Grove Mills, PA Quadrangle N: 20.44 inches; W: 1.25 inches).

To remove the existing undersized single culvert stream enclosure and appurtenant structures that flood overtop regularly, then to construct and maintain: (1) a 574-foot by 18-foot by 6-foot temporary trench; (2) two 574-foot long by 64-inch by 43-inch CMP arch culverts and the associated concrete head wall; (3) a 90 linear foot by 5-foot by 6-foot cut stone right stream bank retaining wall immediately upstream of twin CMP arch culverts; (4) 170 linear feet of stream channel regrading immediately upstream of twin CMP arch culverts; (5) three upright railroad tie debris catchers 95 feet upstream of twin CMP arch culverts; (6) a permanent 350-foot by 15-foot by 4-foot roadside swale and a permanent 350-foot by 15-foot by 2.5-foot roadside swale, both to the left of the enclosure; (7) a concrete outfall for the twin culverts and two separate stormwater discharges; and (8) 50 linear feet of stream channel regrading and stabilization with R-5 and

R-3 riprap immediately downstream of twin CMP arch culverts, all of which is in a very intermittent upper reach of Slab Cabin Run (CWF, perennial). The project proposes to reduce local flooding and permanently impact 2,800 linear feet of Slab Cabin Run. This reach of the run is dry most of the year due to the normal flow going underground a few hundred feet upstream of the project.

E57-104. Department of Conservation and Natural Resources, Bureau of Forestry, P. O. Box 8451, Harrisburg, PA 17105-8451. Culvert replacement in Shrewsbury Township, **Sullivan County**, ACOE Baltimore District (Hills Grove, PA Quadrangle N: 1.8 inches; W: 6.0 inches).

To: (1) remove the existing 7-foot 5-inch by 4-foot 6-inch by 30-foot long corrugated metal arch pipe and to construct and maintain; (2) a 20-foot by 5-foot by 40-foot long reinforced concrete box culvert with concrete inlet and outlet wingwalls depressed 12 inches in the streambed; (3) inlet and outlet concrete aprons extending about 8 feet upstream and downstream from the culvert; and (4) R-6 riprap extending approximately 5 feet upstream and downstream from the apron extremities. The project is in Ogdonia Run (HQ-CWF) on Brummerdale Road, approximately 4 miles west of the intersection of Brunnerdale Road with Route 42. The project will not impact wetlands while impacting approximately 90 feet of waterway. The project will disturb approximately 0.07 acre of earth.

E59-453. Elkland Borough, 105 Parkhurst Street, Elkland, PA 16920. Gravel removal and steam maintenance in Elkland Borough, **Tioga County**, ACOE Baltimore District (Elkland, PA Quadrangle N: 19.7 inches; W: 8.8 inches).

To maintain the waterway opening of the length of the Cowanesque River (CWF) and levee within the site commonly referred to as the U. S. Army Corps of Engineers Elkland Flood Control Project. Maintenance items include gravel removal, restoration of eroded soils and riprap, reshaping/resloping of outlet drainage ditches, repair of flap gates and their structures and mowing of levee grass and filling in rodent holes. The project begins at the southeast corner of Osceola Village and continues in an easterly direction to a point approximately 700 feet beyond the eastern borough boundary line. The project will not impact wetlands while impacting approximately 3.2 miles of waterway.

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

E56-330. Seven Springs Municipal Authority, 290 Lagoon Lane, Champion, PA 15622. Seven Springs Recovery Water Impoundment in Middlecreek Township, **Somerset County**, Pittsburgh ACOE District (Kingwood, PA Quadrangle N: 22.35 inches; W: 4.65 inches) (Latitude: 39° 59' 53"—Longitude: 79° 16' 60"). The applicant proposes to place fill in 0.2 acre of wetland (PEM) for the purpose of constructing an approximately 50 million gallon reservoir, behind a dam. This reservoir will be used to store water from an existing wastewater lagoon and lakes, for the purpose of making snow and irrigation, at the Seven Springs Mountain Resort. The project site is approximately 1,700 feet south, off of Pritts Distillery Road.

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

E43-304, Nancy Bires, Hermitage School District, 411 North Hermitage Road, Hermitage, PA 16148-3316. West Branch Pine Hollow Run Stream Restoration in

Hermitage City, **Mercer County**, ACOE Pittsburgh District (Sharon East, PA Quadrangle N: 20.8 inches; W: 10.9 inches).

To construct and maintain a stream restoration project within West Branch Pine Hollow Run (WWF) for the purposes of: stream bank stabilization, improved sediment transport, establishment of riparian buffers and improved aquatic habitat while implementing a natural stream channel design approach consisting of the following construction activities: channel relocation, stream and floodway excavation and filling and the installation of cross vanes all beginning at a point approximately 2,300 feet northwest of the intersection of SR 62 and SR 18.

E0514-001. Department of General Services, Bureau of Engineering and Architecture, 18th and Herr Streets, Harrisburg, PA 17125, Hyndman Borough Flood Protection Project, **Bedford County**, ACOE Baltimore District.

The purpose of the project is to protect public health, safety and property by eliminating high-water events that overtop Wills Creek and flood through Hyndman Borough. A permit is requested to perform the following activities associated with the construction of the project in and along approximately 4,000 linear feet (approximately 9 acres) of Wills Creek (perennial, CWF):

1. To construct and maintain approximately 5,500 linear feet of rolled embankment levee on both banks of Wills Creek and along a tributary, known locally as the "back channel." The upstream ends of the levees will tie into existing high ground and the downstream ends will tie into the existing CSX Transportation (CSXT) railroad embankment. The levees will be protected with grouted riprap and drainage structures will be provided at regular intervals.

2. Widen the existing "back channel" and relocate existing palustrine emergent wetlands (0.71 acre) that will be disturbed by levee construction along Gooseberry Avenue.

3. To construct and maintain approximately 1,450 linear feet of diversion pipes that will collect discharge from CSXT stormwater outlets and convey it to Wills Creek to prevent flooding behind the levees during high water events on Wills Creek.

4. Remove an inactive railroad bridge and two piers (approximately 150-foot span) at the downstream end of the project to increase the cross-section of flow and reduce the likelihood of debris clogging and deposition. Abutment scour will be repaired and grouted riprap slope protection will extend a short distance downstream of the bridge-work proposed.

The project begins near the Hyndman Borough Corporate boundary with Londonderry Township along SR 3004 (Hyndman Quadrangle N: 13.9 inches, W: 2.5 inches) and terminates just downstream of the CSXT railroad bridge over Wills Creek (Hyndman Quadrangle N: 13.4 inches; W: 4.1 inches).

WATER QUALITY CERTIFICATIONS REQUESTS

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

Initial Notice of Request for Certification under section 401 of the Federal Water Pollution Control Act

The following requests have been made to the Department of Environmental Protection (Department) under section 401(a) of the Federal Clean Water Act (act) (33 U.S.C.A. § 1341(a)) for certification that the construction

and operation herein described will comply with the applicable provisions of sections 301, 302, 303, 306 and 307 of the act and that the construction will not violate applicable Federal and State water quality standards.

Prior to final approval of the proposed certification, consideration will be given to any comments/suggestions/objections which are submitted in writing within 30 days of the date of this notice. Comments should be submitted to the Department at the previous address for each request for certification. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments are addressed and a concise statement of comments/suggestions/objections in sufficient detail to inform the Department of the exact basis of the proposal and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given comments, if deemed necessary to resolve conflicts. Each individual will be notified in writing of the time and place of any scheduled hearing or conference concerning the certification request to which the protest relates. Maps, drawings and other data pertinent to the certification request are available for inspection and review at the previous address between 8 a.m. and 4 p.m., working days.

Final or proposed action on certain other certification requests for projects which required both a Water Obstruction and Encroachment permit and either a U. S. Army Corps of Engineers individual permit or a Nationwide permit 14, 18 or 26 will be published with the Actions of Applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27).

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

Certification Request Initiated By: David E. Zazworsky, Special Assistant to the Commissioners, Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676.

Location: Borough of Jefferson Hills, West Mifflin Borough, Borough of Dravosburg, City of Duquesne, North Versailles Township, Borough of East Pittsburgh, Borough of North Braddock, Borough of Braddock, Borough of Rankin, Borough of Swissvale, City of Pittsburgh, Borough of Turtle Creek, Wilkins Township, Municipality of Monroeville and Municipality of Penn Hills in Allegheny County.

Project Description: The proposed project is the construction of a 24-mile long, four-lane, limited access, tolled expressway beginning at SR 51 in the Borough of Jefferson Hills, Allegheny County and ending at the Parkway East (I-376) in the City of Pittsburgh, Allegheny County and at the Parkway East (I-376) in the Municipality of Monroeville, Allegheny County. The project will impact the following river and streams: Monongahela River (WWF), five unnamed tributaries to the Monongahela River (WWF), an unnamed tributary to Peters Creek (TSF), Thompson Run to Monongahela River (WWF), two unnamed tributaries to Thompson Run to Monongahela River (WWF), Turtle Creek (WWF), an unnamed tributary to Turtle Creek (WWF), Thompson Run to Turtle Creek (WWF), eight unnamed tributaries to Thompson Run to Turtle Creek (WWF), Sawmill Run to Turtle Creek (WWF), Chalfant Run (WWF), Leak Run (WWF), Ninemile Run (TSF), Streets Run (WWF) and Glass Run (WWF). In addition, a total of 10.36 acres of wetlands are proposed to be permanently impacted (6.23 acres PEM, 1.86 acres PSS, 0.35 acre PFO and 1.92 acres POW). Stream and wetland mitigation will be required.

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0035271	Tall Timbers Village TTV-6 Factoryville, PA 18419	Lackawanna County La Plume Township	South Branch Tunkhannock Creek 4F	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0247154 Sewage	Possum Valley Municipal Authority P. O. Box 420 609 Clearview Road Bendersville, PA 17306-0420	Adams County Menallen Township	UNT Opossum Creek 7F	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0029785	Redbank Valley School District 920 Broad Street New Bethlehem, PA 16242	Armstrong County Mahoning Township	Tributary to Mahoning Creek	Y
PA0093891	Deer Creek Drainage Basin Authority P. O. Box 148 945 Little Deer Creek Road Russellton, PA 15076	Allegheny County West Deer Township	Dawson Run	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0002551	Calumet Lubricants Company—Rouseville Refinery 2 Main Street Rouseville, PA 16344	Rouseville Borough Venango County	Hamilton Run—Oil Creek 16-E	Y
PA0102288	McKean County Solid Waste Authority Kness Landfill 19 Ness Lane Kane, PA 16735	Sergeant Township McKean County	Unnamed tributary to Sicily Run	Y
PA0222526	Donick/Euliano SFTF 1030 East 5th Avenue Warren, PA 16365	Glade Township Warren County	Unnamed tributary to Quaker Run	Y
PA0103772	Hodapp Apartments 9291 Kuhl Road Erie, PA 16510	Greene Township Erie County	Unnamed tributary to Four Mile Creek	Y
PA0035696	Ramada Inn—Erie 6101 Wattsburg Road Erie, PA 16509-4037	Millcreek Township Erie County	Unnamed tributary to Mill Creek	Y
PA0101877	Bradford Regional Airport Star Route Box 176 Lewis Run, PA 16738	Lafayette Township McKean County	Unnamed tributary to Kinzua Creek	Y

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

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

NPDES Permit No. PA0055565, Industrial Waste, **Wings Field Preservation Associates, L. P.**, 1501 Narcissa Road, Blue Bell, PA 19422. This proposed facility is in Whippen Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated stormwater runoff from Outfall 001 into Prophecy Creek in Watershed 3F-Wissahickon.

NPDES Permit No. PA0012891, Industrial Waste, **Upper Hanover Authority**, 1704 Pillsbury Road, P. O. Box 205, East Greenville, PA 18041. This proposed facility is in Upper Hanover Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into the Perkiomen Creek in Watershed 3E.

NPDES Permit No. PA0051454, Sewage, **Kimmel Enterprises**, 2931 Eagleview Road, Norristown, PA 19403. This proposed facility is in East Norriton Township, **Montgomery County**.

Description of Proposed Action/Activity: Renewal to discharge into an unnamed tributary to Stony Creek in Watershed 3F-Wissahickon.

NPDES Permit No. PA0055298, Sewage, **Henry W. Anderson**, 2472 River Road, New Hope, PA 18938. This proposed facility is in Solebury Township, **Bucks County**.

Description of Proposed Action/Activity: Renewal to discharge into Rabbit Run in Watershed 2D-Three Mile Run.

NPDES Permit No. PA0052761, Sewage, **Buckingham Valley Nursing Home Association**, 820 Durham Road, P. O. Box 447, Buckingham, PA 18912. This proposed facility is in Buckingham Township, **Bucks County**.

Description of Proposed Action/Activity: Renewal to discharge into an unnamed tributary to Mill Creek in Watershed 2F.

NPDES Permit No. PA0036200, Sewage, **Radley Run Mews Sewer Association**, 1131 Mews Lane, West Chester, PA 19382. This proposed facility is in Birmingham Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into Plum Run Watershed 3H-Brandywine Creek.

NPDES Permit No. PA0040576, Sewage, **Valleybrook Homeowners Association, Inc.**, P. O. Box 394, Chester Heights, PA 19017. This proposed facility is in Chester Heights Borough, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into the West Brach Chester Creek in Watershed 3G.

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

NPDES Permit No. PAS216105, Industrial Waste, **Lehigh Cement Company**, 3111 Water Street, Richmond, VA 23223. This proposed facility is in City of Aliquippa, **Beaver County**.

Description of Proposed Action/Activity: Bulk cement handling facility.

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

NPDES Permit No. PA0239291, Sewage, **Wintergreen Animal Hospital SFTF**, 8439 Wattsburg Road, Erie, PA 16509. This proposed facility is in Greene Township, **Erie County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Four Mile Creek in Watershed 15-FM.

NPDES Permit No. PA0239402, Sewage, **Randy L. Huntington SFTF**, 2112 West State Road, Jamestown, PA 16134. This proposed facility is in West Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to the Shenango River in Watershed 20-A.

NPDES Permit No. PA0239437, Sewage, **Edgewood Group Home, Human Services Center**, 130 West North Street, Pulaski, PA 16101. This proposed facility is in Pulaski Township, **Lawrence County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to the Shenango River in Watershed 20-A.

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. 4603421, Sewerage, **Franconia Township Sewer Authority**, 671 Allentown Road, P. O. Box 128, Franconia, PA 18924. This proposed facility is in Franconia Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a new sanitary pump extension with gravity and force main lines.

WQM Permit No. 0902202, Sewerage, **Exxon Mobil Corporation**, 220 Commerce Drive, Suite 205, Fort Washington, PA 19034. This proposed facility is in Buckingham Township, **Bucks County**.

Description of Proposed Action/Activity: Issuance of the permit to discharge treated groundwater to underground injection wells.

WQM Permit No. 4603408, Sewerage, **Limerick Township Municipal Authority**, 529 King Road, Royersford, PA 19468. This proposed facility is in Limerick Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction of wastewater treatment plant improvements to serve existing proposed development in Limerick Township.

WQM Permit No. 1503417, Sewerage, **East Coventry Township**, 855 Ellis Woods Road, Pottstown, PA 19465. This proposed facility is in East Coventry Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of sewerage facilities for four pumping stations.

WQM Permit No. 1598412 Amendment, Sewerage, **Greenhill Sewer Association**, 1000 Mill Road, West Chester, PA 19380. This proposed facility is in East Goshen Township, **Chester County**.

Description of Proposed Action/Activity: Amending existing permit.

WQM Permit No. 0903414, Sewerage, **Girl Scouts of Freedom Valley**, 100 Juliette Low Way, P. O. Box 814, Valley Forge, PA 19482-0814. This proposed facility is in Haycock Township and East Rockhill Township, **Bucks County**.

Description of Proposed Action/Activity: Construction of an onsite wastewater treatment facilities to serve existing campground.

WQM Permit No. 0903420, Sewerage, **Warminster Municipal Authority**, P. O. Box 2279, Warminster, PA 18974. This proposed facility is in Warminster Township, **Bucks County**.

Description of Proposed Action/Activity: Replacement of sewage ejector station no. 11 with a new pumping station.

WQM Permit No. 1503415, Sewerage, **Borough of Kennett Square**, 120 North Broad Street, Kennett Square, PA 19348. This proposed facility is in Kennett Square Borough, **Chester County**.

Description of Proposed Action/Activity: Wastewater treatment facility design organic loading rerate.

WQM Permit No. 1503206, Sewerage, **Sunoco, Inc. (R & M)**, 20/10 Penn Center, 1801 Market Street, Philadelphia, PA 19103. This proposed facility is in New London Township, **Chester County**.

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

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

WQM Permit No. 3503404, Sewerage, **Sewer Authority of the City of Scranton**, 307 North Washington Avenue, Scranton, PA 18503. This proposed facility is in City of Scranton, **Lackawanna 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. 0604403, Sewerage, **Washington Township Municipal Authority**, 120 Barto Road, P. O. Box 156, Barto, PA 19504. This proposed facility is in Washington Township, **Berks County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of sewers and appurtenances.

WQM Permit No. 3604406, Sewerage, **Suburban Lancaster Sewer Authority**, 218 West Orange Street, P. O. Box 1271, Lancaster, PA 17603. This proposed facility is in West Lampeter Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for construction/operation of sewerage facilities consisting of a submersible duplex pump station with approximately 1,280 feet of 4-inch force main, Hunters Glen Wendover Way Pump Station.

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

WQM Permit No. 2003427, Sewerage, **Randy L. Huntington**, 2112 West State Road, Jamestown, PA 16134. This proposed facility is in West Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility to serve two homes.

WQM Permit No. 2504402, Sewerage, **Wintergreen Animal Hospital SFTF**, 8439 Wattsburgh Road, Erie, PA 16509. This proposed facility is in Greene Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage wastewater

ter treatment facility to service restrooms at a proposed animal hospital.

WQM Permit No. 43044012, Sewerage, **Springfield Township**, 1791 Perry Highway, Volant, PA 16156-1517. This proposed facility is in Springfield and Pine Townships, **Mercer County**.

Description of Proposed Action/Activity: This project is for pump station improvements including replacing pumps, discharge piping and valves at both pump stations and replacing the trash basket with a comminutor at the Springfield pump station.

WQM Permit No. 2503423, Sewerage, **Union City Borough Municipal Authority**, 12 South Main Street, Union City, PA 16438 This proposed facility is in Union City Borough, **Erie County**.

Description of Proposed Action/Activity: This project is for the replacement of the North Side lift station.

WQM Permit No. 2403404, Sewerage, **Johnsonburg Municipal Authority**, 520A Market Street, Johnsonburg, PA 15845-1240. This proposed facility is in Johnsonburg Borough, **Elk County**.

Description of Proposed Action/Activity: This project is to replace existing pneumatic ejector station equipment with a new submersible pumping system.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use	Department Protocol (Y/N)
PAG136273	Frazer Township 2129 Butler Logan Road Tarentum, PA 15084	Allegheny	Frazer Township	Allegheny River WWF	N/A
PAG136279	Rankin Borough 320 Hawkins Avenue Braddock, PA 15104-1008	Allegheny	Rankin Borough	Monongahela River WWF	Y
PAG136355	Export Borough 6022 Kennedy Avenue Export, PA 15632	Westmoreland	Export Borough	Turtle Creek TSF	N/A

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

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

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAI032103007	GVH (Carlisle) LP 323 Union Street, Suite 300 Nashville, TN 37201	Cumberland	Carlisle Borough	UNT to Letort Spring Run HQ-CWF

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

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAI041403017	Pennsylvania State University Office of Physical Plant Physical Plant Bldg. University Park, PA 16802	Centre	State College Borough	UNT to Slab Cabin Run (Thompson Run) HQ-CWF Big Hollow CWF

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041803005	Lock Haven University Facilities Bldg. 301 W. Church St. Room 104 Lock Haven, PA 17745	Clinton	City of Lock Haven	W. Branch Susquehanna River WWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI063303002	Department of Transportation Airport Access Rd. I-80 Interchange 2550 Oakland Avenue Indiana, PA 15701	Jefferson	Washington Township	Horm. Norris and Keys Runs CWF Kyle Run, UNT Kyle Lake HQ CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lackawanna County City of Scranton	PAG2003504010	Michael Vacendak 9188 Valley View Dr. Clarks Summit, PA 18411	Lackawanna River WWF	Lackawanna County Conservation District (570) 281-9495
Lehigh County Whitehall Township	PAG2003904011	Bible Fellowship Church Homes, Inc. 3000 Fellowship Dr. Whitehall, PA 18052	Jordan Creek TSF, MF	Lehigh County Conservation District (610) 391-9583
Somerset County Somerset Township	PAG2005604001	Lowe's Home Centers, Inc. P. O. Box 1111 North Wilkesboro, NC 28659	Unnamed tributary to Somerset Lake WWF	Somerset County Conservation District (814) 445-4652
Westmoreland County S. Greensburg Borough	PAG2006504010	John Orsini 112 Oak Crest Lane Butler, PA 16002	Jacks Run WWF	Westmoreland County Conservation District (724) 837-5271

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Erie County North East Township	PAG2002504003	Mercyhurst North East Health and Safety Building 16 West Division Street North East, PA 16428	Tributary of Sixteen Mile Creek WWF, MF	Erie County Conservation District (814) 825-6033
Erie County Millcreek Township	PAG2002504004	David Schmidt Schmidt Funeral Home 2926 Pine Avenue Erie, PA 16504	Mill Creek WWF, MF	Erie County Conservation District (814) 825-6033
Warren County Conewango Township	PAG2006204002	Northwest Savings Bank Operations Center Liberty and Second Street Warren, PA 16365	Conewango Creek WWF	Warren County Conservation District (814) 563-3117
Elk County Benezette Township	PAG2092404001	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Porcupine Run and Bennett Branch Sinnemahoning Creek CWF	Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
<i>General Permit Type—PAG-3</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Scranton City Lackawanna County	PAR202222	Global Metalform 733 Davis Street Scranton, PA 18505	Department of Transportation Storm Sewers	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
West Brunswick Township Schuylkill County	PAR232226	GHM, Inc. 17 Pinedale Industrial Rd. Orwigsburg, PA 17961-9727	Schuylkill River CWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Scranton City Lackawanna County	PAR602215	Lackawanna County Materials Recovery Facility 3400 Boulevard Avenue Scranton, PA 18512	Lackawanna River TSF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Plains Township Luzerne County	PAR802206	Altec Industries, Inc. 210 Inverness Center Drive Birmingham, AL 35242	Susquehanna River	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Adams County Oxford Township	PAR203580	New Oxford Aluminum LLC 10350 Ormsby Park Place Louisville, KY 40223	South Branch Conewago Creek WWF	SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Blair County Tyrone Borough	PAR233510	Albemarle Corp. Tyrone Site 2 Adams Avenue Tyrone Industrial Park Tyrone, PA 16686-0216	Cooke Hollow Creek TSF	SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-5

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
South Strabane Township Washington County	PAG056190	Coen Oil Co. P. O. Box 34 1100 W. Chestnut Street Washington, PA 15301	UNT to Chartiers Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
South Middleton Township Cumberland County	PAG083532	Peck's Septic Waste Processing Facility 68 Pine School Rd. Gardners, PA 17324	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Carroll Township Washington County	PAG086114	Mon Valley Sewer Authority P. O. Box 792 Donora, PA 15033	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-12

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lebanon County Millcreek Township	PAG123581	Elvin Nolt 10 Setherb Road Richland, PA 17087	Tulpehocken Creek TSF/3-C	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (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. 4603505, Public Water Supply.

Applicant	Schwenksville Borough Authority P. O. Box 458 Schwenksville, PA 19473
Township	Lower Frederick
County	Montgomery
Type of Facility	PWS
Consulting Engineer	ARRO Consulting, Inc. 649 North Lewis Road Suite 100 Limerick, PA 19468
Permit to Construct Issued	March 12, 2004

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

Permit No. 0603506, Public Water Supply.
 Applicant **Valley Run Water System**
 Municipality Washington Township
 County **Berks**
 Type of Facility New community water system to serve the Ponds at Valley Run. Facilities include well no. 1 at 47 gpm, treatment using sodium hypochlorite, 115,000-gallon storage tank and distribution system.
 Consulting Engineer Kevin D. Bomboy, P. E.
 55 Shelbourne Road
 Reading, PA 19606
 Permit to Construct Issued: March 8, 2004

Operations Permit issued to **Spring Grove Water Company**, 7670091, Spring Grove Borough, **York County** on March 1, 2004, for the operation of facilities approved under Construction Permit No. 6703516 MA.

Operations Permit issued to **Red Lion Municipal Authority**, 7670086, Windsor Township, **York County** on March 10, 2004, for the operation of facilities approved under Construction Permit No. 6703504.

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

Permit No. 6095501-T2—Operation. Public Water Supply.
 Applicant **Pine Valley MHP, LLC**
Rachel A. Wachs, President
 215 West Church Road, Suite 105
 King of Prussia, PA 19406
 Township West Buffalo Township
 County **Union**
 Type of Facility PWS—Operation of the existing water system including well nos. 1—3, disinfection facilities and a mobile home park distribution system.
 Permit to Operate Issued: March 11 2004

Permit No. MA-T1—Operation. Public Water Supply.
 Applicant **Pine Valley MHP, LLC**
Rachel A. Wachs, President
 215 West Church Road, Suite 105
 King of Prussia, PA 19406
 Township West Buffalo Township
 County **Union**
 Type of Facility PWS—Operation of the 40,000 gallon finished water storage tank, booster pump and interconnection with the campground distribution system.
 Permit to Operate Issued: March 11 2004

Permit No. 4596431-Amendment 2—Operation. Public Water Supply.
 Applicant **Cedar Mountain Springs Water Company**
c/o William E. Merkle
 R. R. 1 Box 215
 Gaines, PA 16921
 Township Elk Township
 County **Tioga**
 Type of Facility PWS—Operation of the three cartridge filters at the Cedar Mountain Springs Water Company bottling plant.
 Permit to Operate Issued: March 16 2004

Permit No. 4596431-Amendment 2—Construction. Public Water Supply.
 Applicant **Cedar Mountain Springs Water Company**
c/o William E. Merkle
 R. R. 1 Box 215
 Gaines, PA 16921
 Township Elk Township
 County **Tioga**
 Type of Facility PWS—Construction of the three cartridge filters at the Cedar Mountain Springs Water Company bottling plant.
 Permit to Construction Issued: March 16 2004

Permit No. 1702502—Operation. Public Water Supply.
 Applicant **Glen Hope Water Authority**
Ron Baer, President
 P. O. Box 116
 Glen Hope, PA 16645
 Borough Glen Hope Borough
 County **Clearfield**
 Type of Facility PWS—Operation of the pressure filtration plant.
 Permit to Operate Issued: March 16 2004

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

Operations Permit issued to **Pine Grove Mobile Home Park**, 374 North Perry Highway, Mercer, PA 16137, PWS ID 6430046, Coolspring Township, **Mercer County**, on March 12, 2004, for the operation of well no. 6 and treatment associated with this source and existing sources, as approved under Construction Permit No. 4300502.

Operations Permit issued to **Pennsylvania American Water Company Clarion District**, 800 West Hersheypark Drive, Hershey, PA 17033, PWS ID 6160001, Clarion Township, **Clarion County**, on March 12, 2004, for the operation of the 4.0 mgd water treatment plant, as approved under Construction Permit No. 1601503.

Operations Permit issued to **Johnsonburg Municipal Authority**, 520 A Market Street, Johnsonburg, PA 15845, PWS ID 6240007, Ridgway Township, **Elk County**, on March 15, 2004, for the operation of the

silver Creek Plant backwash recycle system, as approved under Construction Permit No. 2402501.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Foster Township	P. O. Box 465 Freeland, PA 18224	Luzerne

Plan Description: The Plan calls for the construction of a new gravity wastewater collection system and associated pump stations and force mains to serve approximately 442 EDUs in the Woodside, Youngstown, Highland and Upper Lehigh areas of Foster Township, as specified in the Freeland Borough Alternative 2 text and mapping found in the Plan. The Plan also proposes replacement of the existing municipal wastewater collection system in Foster Township and known as Subarea 5 of the Freeland Area Wastewater Collection System. This system currently serves approximately 246 EDUs. Wastewater from all of the previously described areas, except Upper Lehigh, will be conveyed to an existing force main owned by the Freeland Municipal Authority (Authority) for transmission to the Authority's wastewater treatment facility for ultimate treatment and discharge. Wastewater from the Upper Lehigh area will be conveyed directly to the Authority's wastewater treatment facility via the proposed gravity interceptor, pump station and force main.

Financing of the wastewater collection and conveyance systems is to be provided by the Pennsylvania Infrastructure Investment Authority.

Implementation of the selected wastewater disposal alternative will require a Water Management Part II Permit for the construction and operation of the proposed sewage facilities. Other departmental permits may be required for construction if encroachment to streams or wetlands will result. The Department's review has also not identified any significant environmental impacts resulting from this proposal.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jackson Township	439 Roth's Church Rd. Spring Grove, PA 17362	York

Plan Description: Pahagaco Heights II, A3-67934-199-3. The approved plan provides for a 99-lot single-family residential subdivision on 55 acres with total proposed sewage flows of 39,600 gpd tributary to the Jackson Township Wastewater Treatment Plant. The proposed development is at the end of Lakeview Drive, just east of the intersection of Pahagaco Road and Lake Road in Jackson Township, York County. Any required NPDES

permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

**Proposed Consent Order and Agreement
Algonquin Chemical Company Site, Windsor Township and Hamburg Borough, Berks 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 the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C.A. §§ 9601—9675), has entered into a proposed settlement with Windsor Industries, Inc. and its president and majority shareholder, Douglas Mehrkam (Settlors).

The proposed settlement resolves claims of the Department with the Settlors under the HSCA, CERCLA and other applicable law for response costs expended by the Department at the Algonquin Chemical Site (Site), Windsor Township and Hamburg Borough, Berks County.

The proposed settlement obligates the Settlors to pay to the Department \$2,500 in reimbursement of certain of its response costs expended at the Site. Settlors explicitly consent to the filing of a lien with the Berks County Recorder of Deeds in the amount of \$50,700. The Department agrees to postpone and forego any lien-based foreclosure against the real estate in question so long as the real estate is owned by the Settlors.

The Department believes that the proposed settlement is fair, reasonable, practicable in the public interest and in furtherance of the statutory goals of the HSCA and CERCLA.

Under section 1113 of the HSCA (35 P. S. § 6020.1113), the Department is publishing notice of this Consent Order and Agreement and will provide a 60-day period for public comment on the Consent Order and Agreement beginning March 27, 2004. Copies of the Consent Order and Agreement may be examined Monday through Friday from 8 a.m. to 4 p.m. at the Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg, PA 17110 by contacting Crystal Snook, (717) 705-6645. The Consent Decree can also be reviewed at the Reading District Office, 1005 Crossroads Boulevard, Reading, PA 19605 from 8 a.m. to 4 p.m. by contacting Thomas Grubb, (610) 916-0100.

After review, the public may submit written comments on the Consent Order and Agreement, before May 27, 2004, by mailing them to Crystal Snook at the Department's Harrisburg office at the previous address. A person adversely affected by the settlement may also file an appeal from the Consent Order and Agreement to the Environmental Hearing Board. Questions concerning this notice should be directed to Crystal Snook.

The Department has reserved the right to withdraw its consent to the Consent Order and Agreement if comments submitted during the public comment period disclose facts or considerations which indicate, in the Department's discretion, that the Consent Order and Agreement is inappropriate or not in the public interest.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

230 Whelen Avenue and 312 Mary Street, Downingtown Borough, **Chester County**. Michael S. Welsh, P. E., Applied Environmental Management, Inc., 16 Chester County Commons, Malvern, PA 19355, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil no. 2. 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.

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

Former Olivetti Supplies, Inc., Susquehanna Township, **Dauphin County**. Science Applications International Corp., 6310 Allentown Boulevard, Harrisburg, PA

17112, on behalf of Union Deposit Corporation, 651 East Park Drive, Harrisburg, PA 17111-4153 and Olivetti North America, Inc., 22425 East Appleway Avenue, Liberty Lake, WA 99019-9534, submitted a Final Report concerning remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to the Site-Specific Standard.

Cabela's Hamburg Store, Tilden Township, **Berks County**. Advantage Engineering, 20 South 36th Street, Camp Hill, PA 17011, on behalf of Cabela's Lodging, LLC and Cabela's Retail, LLC, One Cabela's Drive, Sidney, NE 69160, submitted a Final Report concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to the Statewide Health Standard.

Niles Associates (Partnership), Springettsbury and York Townships, **York County**. Richenderfer & Associates, Inc., P. O. Box 1199, Carlisle, PA 17013, on behalf of Niles Associates, 1777 Fifth Avenue, York, PA 17403, submitted a Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents, diesel fuel, fuel oil no. 2, leaded gasoline, lead, MTBE, kerosene, unleaded gasoline and used motor oil. The report is intended to document remediation of the site to a combination of the Statewide Health and Background Standards.

Arntz Residence, West Donegal Township, **Lancaster County**. Earth Tech, Inc., 2 Market Plaza Way, Mechanicsburg, PA 17055, on behalf of Esther Arntz, 1872 Harrisburg Avenue, Mount Joy, PA 17552, submitted a Final Report concerning remediation of site groundwater contaminated with fuel oil no. 2. The report is intended to document remediation of the site to the Statewide Health Standard.

Roberto Clemente Park, City of Lancaster, **Lancaster County**. Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482, on behalf of the Inner City Group, 545 Pershing Avenue, Lancaster, PA 17602 and the School District of Lancaster, 1020 Lehigh Avenue, Lancaster, PA 17602, submitted a Baseline Environmental Report concerning remediation of site soils and groundwater contaminated with inorganics, lead and chlorinated solvents. The applicant proposes to remediate the site as a Special Industrial Area.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

Former Ennis Oil and Burner Service Terminal, Chester Heights Borough, **Delaware County**. Jason Plucinski, React Environmental Services, Inc., 6901 Kingsessing Ave., Philadelphia, PA 19142, on behalf of James R. and David Ennis Partnership, Rte. 1 and Valleybrook Rd., Chester Heights, PA 19017, has submitted a Final Report Addendum concerning the remediation of site soil contaminated with benzene and groundwater contaminated with lead, benzene, dichloroethane, 1, 2 and ethylene dibromide. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 8, 2004.

The Reserve at Gwynedd (Groundwater), Upper Gwynedd Township, **Montgomery County**. William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Philadelphia, PA 19104, on behalf of The Reserve at Gwynedd, 470 E. Norristown Rd., Suite 100, Blue Bell, PA 19422, has submitted a Remedial Investigation/Risk Assessment Report Addendum, concerning remediation of site groundwater contaminated with chlorinated solvents, diesel fuel, fuel oil no. 2, inorganics, leaded gasoline, lead, other organics, PAH and unleaded gasoline. The report addendum was approved by the Department on March 10, 2004.

Shez Ray, LLC, Norristown Borough, **Montgomery County**. Cliff Harper, P. G., Harper Environmental Asso-

ciates, Inc., 771 Hideaway Lane, Harleysville, PA 19438, on behalf of Ray Cannon, Shez Ray LLC, 625 Beech St., Norristown, PA 19404, has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents and PCB. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 10, 2004.

Parkway Apartments, City of Philadelphia, **Philadelphia County**. Jaron J. Frieden, Vertex Engineering Services, Inc., 400 Libbey Parkway, Weymouth, MA 02189, on behalf of Steve Gilbert, ITW Mortgage Investments Corp., 1818 Market St., Philadelphia, PA 19103, has submitted a combined Remedial Investigation/Risk Assessment/Cleanup Plan/Final Report concerning remediation of site soil contaminated with fuel oil no. 4; and groundwater contaminated with leaded gasoline and PAH. The combined report demonstrated attainment of Site-Specific Standards and was approved by the Department on March 8, 2004.

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

Lancaster Shopping Center, City of Lancaster, **Lancaster County**. Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482 and PPL, 651 Delp Road, Lancaster, PA 17601, on behalf of Lancaster Shopping Center, 1645 Lititz Pike, Lancaster, PA 17601, submitted a Final Report concerning remediation of site soils contaminated with PCBs. The report was submitted within 90 days of a release. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 23, 2003.

Ross Technology Corporation, Upper Leacock Township, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543-0384, on behalf of Ross Technology Corporation, 104 North Maple Avenue, Leola, PA 17540, submitted a Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents. The final report demonstrated attainment of the Statewide Health and Site-Specific Standards and was approved by the Department on February 26, 2004.

Plowfield Mobile Home Park, Ephrata Borough, **Lancaster County**. RETTEW Associates, Inc., 320 Columbia Avenue, Lancaster, PA 17603, on behalf of Frederick B. and Doris M. Plowfield, 286 South Reading Road, Ephrata, PA 17522, submitted a Final Report concerning remediation of site soils contaminated with no. 2 fuel oil and kerosene. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 25, 2004.

Mark Hershey Farms, Inc., West Cornwall Township, **Lebanon County**. Hafer Environmental Services, Inc., on behalf of Mark Hershey Farms, Inc., 479 Horseshoe Pike, Lebanon, PA 17042, submitted a Final Report concerning remediation of site soils contaminated with fuel oil no. 2. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 1, 2004.

Riverview Architectural Products, West Manchester Township, **York County**. Langan Engineering & Environmental Services, Inc., 30 South 17th Street, Suite 1500, Philadelphia, PA 19103-4005, on behalf of KADG General Partnership c/o Riverview Architectural Products, Inc., 268 West Beaver Street, Suite 107B, Hellam, PA 17406 and Trolley Road, LP, 1420 Sixth Avenue, York, PA 17402 submitted a Final Report concerning remediation of site soils contaminated with PAHs

and VOCs and groundwater contaminated with VOCs. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 9, 2004.

Fort Indiantown Gap, Annville Township, **Lebanon County**. Environmental Compliance Monitoring, Inc., 349 Route 206, Hillsborough, NJ 08844, on behalf of the National Guard Training Center, Fort Indiantown Gap, Annville, PA 17003-5002, submitted a Final Report concerning remediation of site soils contaminated with no. 2 fuel oil. The report was submitted within 90 days of the contaminant release. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 4, 2004.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit 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 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 Number WMGR023D001. COT-Puritech Inc., 2993 Perry Dr. SW, Canton, OH 44706. The general permit authorizes processing of waste oil (excluding used oil) and unused oil contaminated with water in mobile units for the purpose of reconditioning the oil that shall be reused by the generator of the waste oil or unused, contaminated oil. The approved processing is limited to filtration, centrifugation, ultrafiltration and vacuum distillation. The Department issued the determination of applicability on March 10, 2004.

Persons interested in reviewing the general permit should contact Ronald C. Hassinger, Chief, General Permits/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 should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

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

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

GP1-22-3026A: Milton Hershey School (P. O. Box 830, 801 Spartan Lane, Hershey, PA 17033-0830) on March 9, 2004, to authorize the use of the general permit for three natural gas boilers in Derry Township, **Dauphin County**.

GP3-38-03043: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105) on March 15, 2004, to use their

general permit for portable nonmetallic mineral processing plant in South Lebanon Township, **Lebanon County**.

Plan Approvals Issued under the Air Pollution Control Act 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, East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

46-0005X: Merck and Co., Inc. (770 Sumneytown Pike, West Point, PA 19486) on March 10, 2004, to operate a 375 kW emergency generator in Upper Gwynedd 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.

13-308-104: Horsehead Corp. (900 Delaware Avenue, Palmerton, PA 18071) on February 27, 2004, to modify the no. 1 waelzing/calcine kiln, two storage silos and one emergency generator and the associated air cleaning devices at their facility in Palmerton Borough, **Carbon County**.

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

07-03047A: Grannas Brothers Stone and Asphalt Co., Inc. (P. O. Box 488, Hollidaysburg, PA 16648) on March 11, 2004, to replace an existing vertical shaft impact crusher at their limestone crushing operation at the Ganister Quarry in Catharine Township, **Blair County**.

31-03033: Stone Valley Welding (R. D. 2, Box 213, Huntingdon, PA 16652) on March 12, 2004, to operate a metal surface coating booth using solvent coatings in Jackson Township, **Huntingdon County**.

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

26-00488C: Laurel Aggregates, Inc. (P. O. Box 1209, Morgantown, WV 26507) to increase their allowable throughput from 1 million tons per year to 3 million tons per year at Wymps Gap Quarry/Lake Lynn Quarry in Springhill Township, **Fayette County**.

30-00089B: Dominion Transmission, Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) on March 11, 2004, to install two turbines at Crayne Station in Franklin Township, **Greene County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 823-7584.

AMS 03065: Southwest Water Pollution Control Plant—Biosolids Recycling Center (8200 Enterprise Avenue, Philadelphia, PA 19153) to install four 25.5 mmBtu/hr boilers to replace four existing boilers in Philadelphia, **Philadelphia County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act 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.

46-0232: Cemco Lift, Inc. (P. O. Box 500, 2801 Township Line Road, Hatfield, PA 19440) on March 8, 2004, to operate a spray paint booth in Hatfield Township, **Montgomery County**.

09-0040B: Consolidated Graphics (315 West Street Road, Warminster, PA 18974) on March 8, 2004, to operate five lithographic printing presses in Warminster Township, **Bucks County**.

46-0069B: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19462) on March 8, 2004, to operate a dryer burner in Whitemarsh Township, **Montgomery County**.

09-0063A: New Hope Crushed Stone (P. O. Box 248, New Hope, PA 18938) on March 8, 2004, to operate a stone crushing plant in Solebury Township, **Bucks County**.

46-0112: Palmer International, Inc. (P. O. Box 315, Skippack, PA 19474) on March 8, 2004, to operate a thermal oxidizer in Skippack Township, **Montgomery County**.

23-0017A: Exelon Generation Co. (No. 1 Industrial Highway, Philadelphia, PA 19101) on March 8, 2004, to operate boilers 1 and 2 in Eddystone Borough, **Delaware County**.

46-0036C: Visteon Systems LLC (2750 Morris Road, Lansdale, PA 19446) on March 10, 2004, to operate a selective solder no. 8 in Worcester Township, **Montgomery County**.

09-0050: Better Materials Corp. (P. O. Box 231, Easton, PA 18044) on March 11, 2004, to operate one crusher and two conveyor belts in Wrightstown Township, **Bucks County**.

46-0108A: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on March 18, 2004, to operate a cyclone and baghouse in Marlborough Township, **Montgomery County**.

46-0069A: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19462) on March 15, 2004, to operate two baghouses in Whitemarsh Township, **Montgomery County**.

15-0039: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on March 15, 2004, to operate a dryer burner in East Caln Township, **Chester County**.

46-0191B: Merck and Co., Inc. (P. O. Box 1000, UG1M-05, North Wales, PA 19486) on March 17, 2004, to operate a 100 kW emergency generator in Upper Gwynedd Township, **Montgomery County**.

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

12-399-015C: GE Transportation Systems (55 Pine Street, Emporium, PA 15834) on March 8, 2004, to operate an armature coating operation on a temporary basis, until July 6, 2004, in Emporium Borough, **Cameron County**. The plan approval has been extended.

41-00010B: Andritz, Inc. (35 Sherman Street, Muncy, PA 17756) on March 9, 2004, to operate a thermal foundry sand reclamation system and associated air cleaning devices (two fabric collectors) on a temporary basis, until July 7, 2004, in Muncy Borough and Muncy Creek Township, **Lycoming County**. The plan approval has been extended.

8-318-027: Mill's Pride—Pennsylvania (100 Lamoka Road, Sayre, PA 18840) on March 12, 2004, to operate a wood kitchen cabinet finishing line and associated air cleaning device (a thermal oxidizer), various pieces of woodworking equipment and associated air cleaning devices (fabric collectors) and various other pieces of equipment on a temporary basis, until July 10, 2004, in Athens Township, **Bradford County**. The plan approval has been extended.

8-318-027A: Mill's Pride—Pennsylvania (100 Lamoka Road, Sayre, PA 18840) on March 12, 2004, to operate a wood kitchen cabinet glazing line on a temporary basis, until July 10, 2004, in Athens Township, **Bradford County**. The plan approval has been extended.

19-00006B: DLM Foods, LLC (6670 Low Street, Bloomsburg, PA 17815) on March 11, 2004, to operate two 26.6 million Btu per hour natural gas/no. 6 fuel oil-fired boilers on a temporary basis, until July 9, 2004, in South Centre Township, **Columbia 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.

30-00099A: Allegheny Energy Supply (4350 Northern Pike, Monroeville, PA 15146) on March 9, 2004, to install three boilers at their Hatfield Power Station in Monongahela Township, **Green County**. This plan approval was extended.

04-00681B: Joseph J. Brunner, Inc. (211 Brunner Road, Zelienople, PA 16063) on March 9, 2004, to construct a landfill in New Sewickley Township, **Beaver County**. This plan approval was extended.

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

43-011A: Greenville Metals, Inc. (99 Crestview Drive, Transfer, PA 16154) on March 9, 2004, to operate an exothermic reaction process in Pymatuning Township, **Mercer County**.

43-277B: George and Thomas Cone Co.—Joy Cone (3435 Lamor Road, Hermitage, PA 16148) on March 9, 2004, for an incinerator in Hermitage, **Mercer County**.

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

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.

36-05015: Dart Container Corp. (P. O. Box 546, Leola, PA 17540) on March 11, 2004, to operate a plastic products manufacturing facility in Upper Leacock Township, **Lancaster County**. This is a renewal of the Title V operating permit.

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

33-00033: Owens-Brockway Glass Container Inc.—Plant No. 18 (Cherry Street, Brockway, PA 15824) on March 9, 2004, to reissue a Title V Permit to operate a glass containers manufacturing facility in Brockway Borough, **Jefferson County**. The facility's major emission sources include glass melting furnace, refiner, two forehearth, two lehrs, eight raw material handling and silos, cullet handling and storage, batch gathering and mixing, miscellaneous combustion sources, two container forming machines, road fugitives and 100 kW emergency generator and two degreaser units. The facility is a major facility for Title V due to its potential to emit of NOx and SOx.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

06-03057: Borough of Bally (P. O. Box 187, Bally, PA 19503) on March 10, 2004, to operate a dual stripping tower at their facility in the Borough of Bally, **Berks County**.

06-05076: Quadrant EPP, Inc. (2120 Fairmont Avenue, P. O. Box 14235, Reading, PA 19612) on March 11, 2004, to operate their engineered plastics manufacturing facility in the City of Reading, **Berks County**.

07-05030: Vesuvius USA (R. R. 6 Box 1497A, Altoona, PA 16601) to operate a refractory material production facility in Logan Township, **Blair County**.

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 Permit Actions

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

49970203R. Mid-Valley Coal Sales, Inc. (1380 Tioga Street, Coal Township, PA 17866), renewal of a coal refuse reprocessing operation in Coal Township, **Northumberland County**, affecting 533.0 acres. Receiving streams: None. Application received January 7, 2003. Renewal issued March 12, 2004.

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

30841316. NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company (P. O. Box 355, 172 Route 519, Eighty Four, PA 15330), to revise the permit for the Bailey Mine and Prep Plant in Richhill Township, **Greene County**, to longwall mine 25 acres at the 6H longwall panel. No additional discharges. Permit issued March 9, 2004.

30841317. NPDES Permit No. PA0213527, Consol Pennsylvania Coal Company (P. O. Box 355, 172 Route 519, Eighty Four, PA 15330), to revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County**, to install a ventilation borehole. Surface Acres Proposed 0.25. No additional discharges. Permit issued March 9, 2004.

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

33020107 and NPDES Permit No. PA0242233. P. and N. Coal Company, Inc. (P. O. Box 332, Punxsutawney, PA 15767), commencement, operation and restoration of a bituminous strip and auger operation in Oliver Township, **Jefferson County**, affecting 138.7 acres. Receiving streams: Hadden Run. Application received October 10, 2002. Permit issued March 4, 2004.

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

32960102 and NPDES Permit No. PA0213314. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), permit revision to change the land use from pastureland to unmanaged natural habitat in Canoe Township, **Indiana County**, affecting 262.0 acres. Receiving streams: unnamed tributaries of Canoe Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received January 6, 2004. Permit issued March 1, 2004.

32020106 and NPDES Permit No. PA0249271. Britt Energies, Inc. (2450 Philadelphia Street, Indiana, PA 15701), permit revision for a stream variance within 100 feet of UNT No. 2 to Tearing Run in Center Township, **Indiana County**, affecting 274.1 acres. Receiving streams: unnamed tributary to Yellow Creek (CWF); unnamed tributaries to Tearing Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received December 19, 2003. Permit issued March 4, 2004.

56823066 and NPDES Permit No. PA0608611. Action Mining, Inc. (1117 Shaw Mines Road, Meyersdale, PA 15552), permit renewal for reclamation only and for continued restoration of a bituminous surface and auger mine in Elk Lick Township, **Somerset County**, affecting 224.5 acres. Receiving streams: unnamed tributaries to Elk Lick Creek and unnamed tributaries to the Casselman River (CWF). There are no potable water supply intakes within 10 miles downstream. Application received December 22, 2003. Permit issued March 4, 2004.

32813031 and NPDES Permit No. PA0125547. Keystone Coal Mining Corporation (P. O. Box 219, Shelocta, PA 15774), permit renewal for reclamation only and for continued restoration of a bituminous surface and auger mine in Center Township, **Indiana County**, affecting 924.1 acres. Receiving streams: Tearing Run and unnamed tributary to Tearing Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received December 23, 2003. Permit issued March 4, 2004.

56880103 and NPDES Permit No. PA0598142. Future Industries, Inc. (P. O. Box 157, Meyersdale, PA

15552), permit renewal and for continued operation of a bituminous surface mine in Summit Township, **Somerset County**, affecting 785.0 acres. Receiving streams: unnamed tributary to Casselman River, the Casselman River, two unnamed tributaries to Lick Run, Lick Run, two unnamed tributaries to Bigby Creek and one unnamed tributary to Cranberry Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received February 4, 2003. Permit issued March 9, 2004.

56703107 and NPDES Permit No. PA0605956. Hoffman Mining, Inc. (P. O. Box 130, 118 Runway Road, Friedens, PA 15541), permit revision for a variance for a stream crossing that involves the construction of a haulroad across Kaufman Run in Paint Township, **Somerset County**, affecting 863.0 acres. Receiving streams: unnamed tributary to Paint Creek; to Kaufman Run; to unnamed tributaries to Kaufman Run; to Stony Creek and to Shade Creek (CWF and WWF). The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Stonycreek Surface Water Withdrawal. Application received November 19, 2003. Permit issued March 9, 2004.

Noncoal Permit Actions

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

10980302 and NPDES Permit No. PA0227641. I. A. Construction Corporation (2100 Garden Drive, Seven Fields, PA 16046), transfer of an existing limestone operation in Cherry and Slippery Rock Townships, **Butler County**, affecting 119.9 acres. This permit is transferred from Ben Hal Mining Company. Receiving streams: unnamed tributary to McMurray Run. Application received October 23, 2003. Permit issued March 4, 2004.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

21044006. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Hillside Farms in Silver Springs Township, **Cumberland County**, with an expiration date of March 31, 2005. Permit issued March 10, 2004.

21044007. Cumberland Valley Drilling & Blasting (6820 Wertzville Road, Enola, PA 17025), construction blasting at Hilleside Farms Development in Silver Springs Township, **Cumberland County**, with an expiration date of March 31, 2005. Permit issued March 10, 2004.

28044007. David H. Martin, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at Light Estates in Greene Township, **Franklin County**, with an expiration date of March 31, 2005. Permit issued March 10, 2004.

38044001. Austin Powder Company (P. O. Box 289, Northampton, PA 18067), construction blasting at Glen Mara Commercial Site in Moosic Borough, **Lackawanna County**, with an expiration date of April 7, 2005. Permit issued March 11, 2004.

21044008. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting in Southampton Township, **Cumberland County**, with an expiration date of June 30, 2004. Permit issued March 11, 2004.

28044008. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting at Manure Pit—Harshman Farm in Antrim Township, **Franklin County**, with an expiration date of July 31, 2004. Permit issued March 11, 2004.

28044009. D. L. George & Sons Construction Co. (13321 Midvale Road, Waynesboro, PA 17268) and **John W. Gleim Jr., Inc.** (625 Hamilton Street, Carlisle, PA 17013), construction blasting at Nottingham Meadows Development in Antrim Township, **Franklin County**, with an expiration date of September 30, 2004. Permit issued March 11, 2004.

01044005. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Pine Run Retirement Community in Hamilton Township, **Adams County**, with an expiration date of March 31, 2005. Permit issued March 11, 2004.

28044010. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting at Thornwood Development in Southampton Township, **Franklin County**, with an expiration date of March 31, 2005. Permit issued March 11, 2004.

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.

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 con-

struction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E50-221: Department of Transportation, District 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Tuscarora Township, **Perry County**, ACOE Baltimore District.

To remove the existing bridge and then to construct and maintain a single span bridge of 71.5 feet with an underclearance of 22.3 feet across Raccoon Creek (CWF) on SR 4006, Section 003, Segment 0200, Offset 0000 (Sugar Run Road), about 0.5 mile south of Millerstown Borough (Millerstown, PA Quadrangle N: 7.8 inches; W: 4.35 inches) in Tuscarora Township, Perry County.

E38-142: Farmer's Pride, Inc., P. O. Box 39, 154 West Main Street, Fredricksburg, PA 17026 in Bethel Township, **Lebanon County**, ACOE Baltimore District.

To: (1) install and maintain an open bottom culvert; (2) remove a multiple pipe culvert crossing and stabilize the area; (3) construct and maintain a 5,430 ft² building addition; and (4) construct an at-grade access road, all encroaching into the floodway of Deep Run (WWF), for the purpose of expanding operations at the Bell & Evans, Farmers Pride Chicken Plant, 154 West Main Street, just

north of Route 343 (Fredricksburg, PA Quadrangle N: 13.0 inches; W: 8.3 inches) in Bethel Township, Lebanon County.

E36-768: JoAnn Realty Associates, LTD, 160-A Route 41, P. O. Box 529, Gap, PA 17527 in Salisbury Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain: (1) a single cell concrete box culvert having a 25-foot clear span and 6-foot rise and associated endwalls; (2) a 95 linear foot rock retaining wall; (3) an expansion of an existing pond from 0.39 acre to 0.57 acre; (4) a new pond outfall consisting of an 8-inch SLCPP; and (5) a pond intake structure consisting of a 3-inch schedule 40 PVC pipe all within the channel and 100-year floodway of Houston Run (CWF), approximately 2,100 feet east of the intersection of SR 741 and Brackbill Road (Gap, PA Quadrangle N: 20.6 inches; W: 5.2 inches) in Salisbury Township, Lancaster County. The project will impact 0.04 acre of Palustrine Emergent Wetland. The amount of wetland impact is considered a de minimis impact of 0.04 acre and wetland replacement is not required.

E21-359: GVH (Carlisle) LP, 323 Union Street, Nashville, TN 37201 in Carlisle Borough, **Cumberland County**, ACOE Baltimore District.

To: (1) install and maintain two 15-inch diameter outfall structures with riprap aprons; (2) remove an approximate 1,950 square foot building which currently lies within the floodway; and (3) to complete minor cutting and grading along the stream banks, all impacting an unnamed tributary to Letort Spring Run (HQ-CWF), locally known as Molly Grub Run, for the purpose of constructing an Eckerd Pharmacy on a previously developed site at a point on the northwest corner of Hanover and Willow Streets (Carlisle, PA Quadrangle N: 12.65 inches; W: 9.05 inches) in Carlisle Borough, Cumberland County.

E21-356: Department of Transportation, District 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Shippensburg Township, **Cumberland County**, ACOE Baltimore District.

To extend and maintain the length of an existing 14-foot by 4.63-foot concrete box culvert at the channel of Burd Run (CWF) on SR 0174, Section 0011, Segment 020, Offset 135 to construct a turning lane for the proposed Wal-Mart shopping center, about 0.8 mile west of the I-81 and SR 174 Interchange (Walnut Bottom, PA Quadrangle N: 10.75 inches; W: 16.95 inches) in Shippensburg Township, Cumberland County.

E21-351: Shippensburg Properties, L. P., One Atlantic Avenue, Pittsburgh, PA 15202 in Shippensburg Township, **Cumberland County**, ACOE Baltimore District.

To install and maintain: (1) an open bottom culvert; (2) three utility line crossings; (3) one aerial line crossing; (4) three outfalls; and (5) to remove an existing culvert, all crossing Burd Run (CWF) on a 53-acre parcel of land to the north side of SR 174 (Walnut Bottom, PA Quadrangle N: 11.15 inches; W: 17.2 inches) in Shippensburg Township, Cumberland County.

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

E12-146. Steve Tronccone, 585 East 2nd St., Emporium, PA 15834. Tronccone Gravel Removal in Shippen Township, **Cameron County**, ACOE Baltimore District (Cameron, PA Quadrangle N: 22.25 inches; W: 11.5 inches).

To remove a vegetated gravel bar 150 linear feet long to an elevation of 6 inches above the water surface. This permit authorizes the removal once and does not authorize operation and maintenance. The gravel bar is in the Driftwood Branch of the Sinnemahoning Creek (TSF). This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E17-392. Department of Conservation and Natural Resources, Bureau of Forestry, P. O. Box 8451, Harrisburg, PA 17105-8451. Forestry District No. 9 Reservoir Road bridge replacement in Karthaus Township, **Clearfield County**, ACOE Baltimore District (Devils Elbow, PA Quadrangle N: 15.0 inches; W: 3.6 inches).

To remove an existing single span bridge and construct, operate and maintain public road crossing Upper Three Runs to provide public access within the Moshannon State Forest. The minor road crossing shall be constructed with a corrugated metal culvert pipe that has a minimum rise of 5.6 feet, span of 7.1 feet and length of 30 feet at a skew of 75 degree. The corrugated metal culvert pipe shall be installed at stream low flow with a 1-foot depression, masonry headwalls and masonry wingwalls. In-stream construction of the public road crossing shall be completed dry work conditions by dam and pumping or cofferdams diverting stream flow around work areas. Since Upper Three Runs is a wild trout stream, no construction or future repair shall be conducted in or along the stream channel between October 1 and December 31 without prior written permission from the Fish and Boat Commission. The project is approximately along the eastern right-of-way of SR 1011, approximately 1.6 miles east of Reservoir Road and SR 1011 intersection. This permit also authorizes the construction, operation, maintenance and removal of temporary road crossings, stream diversions and cofferdams. All temporary structures shall be constructed from clean rock or other nonpolluting materials. Upon completion of the project, all temporary structures shall be completely removed with areas restored to original contours and elevations. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E17-395. Jordan Township, 3879 Ansonville Road, Irvona, PA 16656. Bridge deck and scour protection of T-430 Bridge across Green Run in Jordan Township, **Clearfield County**, ACOE Baltimore District (Irvona, PA Quadrangle N: 19.8 inches; W: 12.8 inches).

To repair, operate and maintain an existing single span bridge to carry T-430 across Green Run. Bridge repair work shall include replacement of the existing bridge deck and rock scour protection of bridge footings and wingwalls. All bridge repair work shall be completed to maintain a minimum 15-foot span, 20-foot width and 4.5-foot underclearance. All bridge repair work shall be conducted at stream low flow and rock scour protection shall be installed in dry work conditions by dams and pumping or diverting stream flow around work area. Since Green Run is a stock trout fishery, no repair work shall be conducted in or along the stream channel between March 1 and June 15 without prior written approval of the Fish and Boat Commission. The project is along the western right-of-way of SR 0729 approximately 530 feet north of Jordan Township Road T-420 and T-430 intersection. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E57-102. Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. Culvert Bridge Maintenance in Davidson Township, **Sullivan County**, ACOE Baltimore District (Sonestown, PA Quadrangle N: 12.4 inches; W: 0.93 inch).

To maintain:

(1) The following wood plank bridges on stone masonry abutment walls:

(a) 6-foot span with 45 square foot waterway opening over an unnamed tributary to West Branch Fishing Creek (Elk Grove, PA Quadrangle N: 9.25 inches; W: 10.62 inches).

(b) 7-foot span with 28 square foot waterway opening over Big Run (Elk Grove, PA Quadrangle N: 9.0 inches; W: 11.30 inches).

(c) 10-foot span with 5 square foot waterway opening over Deep Hollow (Elk Grove, PA Quadrangle N: 11.25 inches; W: 14.83 inches).

(d) 10-foot span with 65 square foot waterway opening over Laurel Run (Elk Grove, PA Quadrangle N: 15.70 inches; W: 15.70 inches).

(2) Streambed with concrete wingwalls including about 75 linear feet of R-5 riprap 24 inches thick along the west bank placed from the wingwall upstream in Hemlock Run (Sonestown, PA Quadrangle N: 12.40 inches; W: 0.93 inch).

(3) Double CMPA culverts 67 inches by 95 inches by 25-foot long with concrete wingwalls and headwalls in West Branch Fishing Creek (Sonestown, PA Quadrangle N: 12.65 inches; W: 2.17 inches).

CMPA culvert 84 inches by 132 inches by 25-foot long depressed 1 foot in the facilities are in the vicinity of West Branch Fishing Creek Road, about 1 mile west of Elk Grove. The facilities will not impact wetlands or waterways. The previous streams are classified as HQ-CWF. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E02-1425. Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. Grant Street Bridge in Shaler Township, **Allegheny County**, Pittsburgh ACOE District (Glenshaw, PA Quadrangle N: 1.7 inches; W: 9.9 inches) (Latitude: 40° 30' 13"—Longitude: 79° 56' 53"). To remove the existing temporary Grant Street Bridge and the existing upstream retaining walls and to construct and maintain a new bridge having a normal span of 52.4 feet with an underclearance of 13.0 feet across the channel of Pine Creek (TSF), to construct and maintain a 40.0-foot long retaining wall along the right bank of said stream and a 450.0-foot long concrete wall along the left bank of said stream. Both walls are on the upstream end of the proposed bridge which is on Grant Avenue (SR 4017, Section A27) at the intersection of Grant Avenue and Butler Street (Glenshaw, PA Quadrangle N: 0.6 inch; W: 10.2 inches) in Etna Borough. Also, to widen, operate and maintain two existing arch culverts, one having a clear span of 66.0 feet with an underclearance of 10.7 feet across Pine Creek on SR 0008, Sta 36+50 (Glenshaw, PA Quadrangle N: 1.7 inches; W: 9.9 inches) and one having a clear span of 56.0 feet with an underclearance of 13.5 feet across Little Pine Creek East on SR 0008, Sta 31+50 (Glenshaw, PA Quadrangle N: 2.0 inches; W: 10.0

inches). This permit also authorizes the construction and maintenance of temporary stream diversions, cofferdams and channel excavation. The project will directly impact a total of 504 linear feet of stream channel. No vegetated wetlands will be impacted.

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

E42-297, David Mays, 13 Church Street, Westline, PA 16751. David Mays SRSTP Outfall in Lafayette Township, **McKean County**, ACOE Pittsburgh District (Westline, PA Quadrangle N: 4.8 inches; W: 3.25 inches).

To install and maintain a 3-inch or 4-inch diameter outfall pipe along the left bank of a tributary to Kinzua Creek from a single residence small flow sewage treatment system at 13 Church Street, Westline.

E43-298, Christner Realty, 235 Alpha Drive, Pittsburgh, PA 15238. Village Park Phase IV, Lots 108-111 in Pine Township, **Mercer County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 3.2 inches; W: 10.0 inches).

To fill a 0.27-acre wetland for development of Lots 108-111 between Hunt Drive and Park Drive within the Village Park Phase IV residential development southeast of Grove City. Project includes creation of 0.75 acre of replacement wetland adjacent to an existing 0.66 acre wetland replacement area from previous DEP Permit No. E43-270.

E61-264, Wyattville Country Store, 2810 US 322, Franklin, PA 16323. Wyattville Country Store greenhouses in Sugarcreek Borough, **Venango County**, ACOE Pittsburgh District (Utica, PA Quadrangle N: 13.5 inches; W: 3.0 inches).

To complete construction and operate and maintain greenhouse buildings and associated fill area measuring approximately 250 feet long by 150 feet wide by 1.5 feet deep within the mapped FEMA floodway of Sugar Creek between the existing building along SR 322 just east of SR 427 and the left bank of Sugar Creek. No in-stream work or wetland impacts occur as a result of this project.

[Pa.B. Doc. No. 04-524. Filed for public inspection March 26, 2004, 9:00 a.m.]

Energy Advisory Board Meeting

The Department of Environmental Protection's (Department) Energy Advisory Board (Board) will hold its first meeting on April 8, 2004, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The Board is a newly created advisory board that will assist the Department in developing clean energy initiatives for this Commonwealth.

Questions concerning this meeting should be directed to Gary Obleski, (717) 783-8727, gobleski@state.pa.us. The agenda and meeting materials for the meeting will be available on the Department's website: www.dep.state.pa.us (DEP Keyword: Participate).

Persons with a disability who require accommodations to attend this meeting should contact the Department at (717) 783-8727 or through the Pennsylvania AT&T Relay

Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-525. Filed for public inspection March 26, 2004, 9:00 a.m.]

Water Resources Regional Committee Meetings Schedule for April 2004

The following is a list of April 2004 meetings of the six water resources regional committees (regional committees) associated with the Department of Environmental Protection (Department). Notice of these meetings is being given in accordance with 65 Pa.C.S. §§ 701-716 (relating to Sunshine Act).

These schedules and an agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department's website: www.dep.state.pa.us (DEP Keyword: Participate).

The six regional committees listed were created under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of a new State Water Plan (plan) for this Commonwealth. The regional committees' purpose is to develop the regional component of the overall plan and to provide recommendations to the Statewide Water Resources Committee, which is charged under 27 Pa.C.S. Chapter 31 to develop the plan.

The April 2004 meeting dates of the six regional committees are as follows:

Lower Susquehanna Water Resources Regional Committee

The April meeting of the Lower Susquehanna Water Resources Regional Committee will be held at 10 a.m. at the following location:

April 5, 2004 Department of Environmental
Protection Southcentral Regional Office
909 Elmerton Ave.
Harrisburg, PA 17110

Questions concerning this meeting should be directed to Leslie Sarvis, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-5634, lsarvis@state.pa.us.

Ohio Water Resources Regional Committee

The April meeting of the Ohio Water Resources Regional Committee will be held at 10 a.m. at the following location:

April 12, 2004 Westmoreland Conservation District
Center for Conservation Education
211 Donohoe Road—"The Barn"
Greensburg, PA 15601

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Great Lakes Water Resources Regional Committee

The April meeting of the Great Lakes Water Resources Regional Committee will be held at 10 a.m. at the following location:

April 13, 2004 Erie Conservation District
1927 Wager Road
Erie, PA 16509

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Delaware Water Resources Regional Committee

The April meeting of the Delaware Water Resources Regional Committee will be held at 10 a.m. at the following location:

April 14, 2004 The Nature Conservancy Hauser
Nature Center
Long Pond Road
P. O. Box 55
Long Pond, PA 18334

Questions concerning this meeting should be directed to Leslie Sarvis, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-5634, lsarvis@state.pa.us.

Potomac Water Resources Regional Committee

The April meeting of the Potomac Water Resources Regional Committee will be held at 10 a.m. at the following location:

April 16, 2004 Fulton County Theatre
102 North Second Street
McConnellsburg, PA 17233

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Upper/Middle Susquehanna Water Resources Regional Committee

The April meeting of the Upper/Middle Susquehanna Water Resources Regional Committee will be held at 10 a.m. at the following location:

April 29, 2004 Centre County Solid Waste Authority
Interpretive Center
253 Transfer Road
Bellefonte, PA 16823

Questions concerning this meeting should be directed to Leslie Sarvis, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-5634, lsarvis@state.pa.us.

Persons with a disability who require accommodations to attend any of the meetings should contact the Department at (717) 705-2425 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-526. Filed for public inspection March 26, 2004, 9:00 a.m.]

DEPARTMENT OF HEALTH

Infant Hearing Screening Advisory Committee Meeting

The Infant Hearing Screening Advisory Committee, established under the Infant Hearing Education, Assessment, Reporting and Referral Act (11 P. S. §§ 876-1—876-9), will hold a public meeting on Thursday, April 1, 2004, from 10 a.m. to 4 p.m. in Room 125, Training Room A, Keystone Building, Commonwealth and Forster Streets, Harrisburg, PA.

The Department of Health reserves the right to cancel this meeting without prior notice.

For additional information or persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so, contact Karl Hoffman, Program Administrator, Hearing Program, Division of Newborn Disease Prevention and Identification, (717) 783-8143, 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. 04-527. Filed for public inspection March 26, 2004, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

2003 Group Two Exception Requests; Medical Assistance Long Term Care Participation Review

By this notice, published under 55 Pa. Code § 1187.21a(e)(4) (relating to nursing facility exception requests—statement of policy), the Department of Public Welfare (Department) announces the 2003 Group Two Exception Requests covering the submission period of July 1, 2003, through December 31, 2003.

Expansion Requests

Number	Name	Address	County	Beds
JD03002	Laurel Wood Care Center	100 Woodmont Road Johnstown, PA 15905	Cambria	60
JD03003	Country Meadows Nursing Center of Bethlehem	4025 Green Pond Road Bethlehem, PA 18020	Northampton	60
JD03004	Willowcrest	5501 Old York Road Philadelphia, PA 19141	Philadelphia	71
JD03006	Mon Valley Care Center	200 Stoops Drive Monongahela, PA 15063	Washington	30

Number	Name	Address	County	Beds
JD03007	Rheems Nursing Center	P. O. Box 8 Broad and Heisey Streets Rheems, PA 17570	Lancaster	45

New Facility Requests

Number	Name	Address	County	Beds
JD03001	Northwood Nursing and Convalescent Center	4621 Castor Avenue Philadelphia, PA 19124	Philadelphia	148
JD03005	Holland-Glen	412 South York Road Hatboro, PA 19080	Montgomery	39

Copies of the previously listed exception requests are available for review by the public during regular business hours. To schedule an appointment to review a request, call (717) 705-3705.

Fiscal Impact

This notice will have no fiscal impact.

Public Comment

Interested persons are invited to submit written comments regarding this notice within 30 days of publication to the Department of Public Welfare, Bureau of LTC Programs, Attention: Policy Section, P. O. Box 2675, Harrisburg, PA 17105. Comments received will be reviewed and considered.

Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-382. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 04-528. Filed for public inspection March 26, 2004, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Mother's Day Bouquet '04 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Mother's Day Bouquet '04.

2. *Price:* The price of a Pennsylvania Mother's Day Bouquet '04 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Mother's Day Bouquet '04 instant lottery game ticket will contain one play area featuring a "Winning Symbols" area and a "Your Symbols" area. The play symbols and their captions located in the "Winning Symbols" area are: Money Symbol (MONEY), House Symbol (HOUSE), Star Symbol (STAR), Necklace Symbol (NCKLACE), Ring Symbol (RING), Candy Symbol (CANDY), Sun Symbol (SUN), Emerald Symbol (EMERALD), Diamond Symbol (DIAMOND), Heart Symbol (HEART), Gift Symbol (GIFT), Watch Symbol (WATCH), Mink Coat Symbol (MINK), Car Symbol (CAR) and Balloon Symbol (BALLOON). The play symbols and their captions located in the "Your Symbols" area are: Money Symbol (MONEY), House Symbol (HOUSE), Star Symbol (STAR), Necklace Symbol (NCKLACE), Ring Symbol (RING), Candy Symbol (CANDY), Sun Symbol (SUN), Emerald Symbol (EMERALD), Diamond Symbol (DIAMOND), Heart Symbol (HEART), Gift Symbol (GIFT), Watch Symbol (WATCH), Mink Coat Symbol (MINK), Car Symbol (CAR), Balloon Symbol (BALLOON) and Rose Symbol (ROSE).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Symbols" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are \$5, \$10, \$15, \$20, \$25, \$50, \$100, \$500 and \$50,000. A player can win up to ten times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 2,040,000 tickets will be printed for the Pennsylvania Mother's Day Bouquet '04 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Symbols" play symbols matches any of the "Winning Symbols" play symbols and a prize play symbol of \$50,000 (FTY THO) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

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

(c) Holders of tickets upon which any one of the "Your Symbols" play symbols is a Rose Symbol (ROSE), and a prize play symbol of \$500 (FIV HUN) appears under the Rose Symbol (ROSE) on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "Your Symbols" play symbols matches any of the "Winning Symbols" play symbols and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "Your Symbols" play symbols is a Rose Symbol (ROSE), and a prize play symbol of \$100 (ONE HUN) appears under the Rose Symbol (ROSE) on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the "Your Symbols" play symbols matches any of the "Winning Symbols" play symbols and a prize play symbol of \$50\$ (FIFTY) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the "Your Symbols" play symbols is a Rose Symbol (ROSE), and a prize play symbol of \$50\$ (FIFTY) appears under the Rose Symbol (ROSE) on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the "Your Symbols" play symbols matches any of the "Winning Symbols" play symbols and a prize play symbol of \$25\$ (TWY FIV) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(i) Holders of tickets upon which any one of the "Your Symbols" play symbols is a Rose Symbol (ROSE), and a prize play symbol of \$25\$ (TWY FIV) appears under the Rose Symbol (ROSE) on a single ticket, shall be entitled to a prize of \$25.

(j) Holders of tickets upon which any one of the "Your Symbols" play symbols matches any of the "Winning Symbols" play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the "Your Symbols" play symbols is a Rose Symbol (ROSE), and a prize play symbol of \$20\$ (TWENTY) appears under the Rose Symbol (ROSE) on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which any one of the "Your Symbols" play symbols matches any of the "Winning Symbols" play symbols and a prize play symbol of \$15\$ (FIFTN) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(m) Holders of tickets upon which any one of the "Your Symbols" play symbols is a Rose Symbol (ROSE), and a prize play symbol of \$15\$ (FIFTN) appears under the Rose Symbol (ROSE) on a single ticket, shall be entitled to a prize of \$15.

(n) Holders of tickets upon which any one of the "Your Symbols" play symbols matches any of the "Winning Symbols" play symbols and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any one of the "Your Symbols" play symbols is a Rose Symbol (ROSE), and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the Rose Symbol (ROSE) on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any one of the "Your Symbols" play symbols is a Rose Symbol (ROSE), and a prize play symbol of \$5⁰⁰ (FIV DOL) appears under the Rose Symbol (ROSE) on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets upon which any one of the "Your Symbols" play symbols matches any of the "Winning Symbols" play symbols and a prize play symbol of \$5⁰⁰ (FIV DOL) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

When Any of Your Symbols Match Any of the Winning Symbols, Win With Prizes(s) of:

<i>Win</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 2,040,000 Tickets</i>
\$5	20	102,000
\$5 w/Rose	20	102,000
\$5 × 2	30	68,000
\$10 w/Rose	30	68,000
\$10	30	68,000
\$5 × 3	300	6,800
\$10 + \$5	300	6,800
\$15 w/Rose	300	6,800
\$15	150	13,600
\$5 × 4	300	6,800
\$5 × 2 + \$10	300	6,800
\$10 × 2	300	6,800
\$20 w/Rose	300	6,800
\$20	300	6,800
\$5 × 5	300	6,800
\$5 × 3 + \$10	300	6,800
\$10 + \$15	300	6,800
\$25 w/Rose	300	6,800
\$25	300	6,800
\$5 × 10	200	10,200
\$10 × 5	300	6,800

When Any of Your Symbols Match Any of the Winning Symbols, Win With

<i>Prizes(s) of:</i>	<i>Win</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 2,040,000 Tickets</i>
\$25 × 2	\$50	600	3,400
\$50 w/Rose	\$50	600	3,400
\$50	\$50	200	10,200
\$10 × 10	\$100	8,000	255
\$20 × 5	\$100	8,000	255
\$25 × 4	\$100	8,000	255
\$100 w/Rose	\$100	8,000	255
\$100	\$100	7,059	289
\$50 × 10	\$500	60,000	34
\$100 × 5	\$500	60,000	34
\$500 w/Rose	\$500	120,000	17
\$500	\$500	60,000	34
\$50,000	\$50,000	680,000	3

Rose = Win prize automatically

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Mother's Day Bouquet '04 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Mother's Day Bouquet '04, prize money from winning Pennsylvania Mother's Day Bouquet '04 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Mother's Day Bouquet '04 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Mother's Day Bouquet '04 or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 04-529. Filed for public inspection March 26, 2004, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation (Department), under the authority 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 the Sports and Exhibition Authority of Pittsburgh and Allegheny County seeking to lease highway right-of-way located beneath the Veterans Bridge (SR 0579) between River Avenue and Progress Street, 23rd Ward, City of Pittsburgh, Allegheny County, containing 65,575± square feet or 1.505± acres, for purposes of parking and staging area.

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

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

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 04-530. Filed for public inspection March 26, 2004, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, March 11, 2004, and announced the following:

Regulation Deemed Approved under section 5(g) of the Regulatory Review Act—Effective March 10, 2004

Department of Health #10-173: Schedules of Controlled Substances (amends 28 Pa. Code Chapter 25)

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-531. Filed for public inspection March 26, 2004, 9:00 a.m.]

PA 17120, (717) 782-4298 at least 24 hours in advance so that arrangements can be made.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-533. Filed for public inspection March 26, 2004, 9:00 a.m.]

INSURANCE DEPARTMENT

Agency Contract Termination of Wagner-Huffnagle & Associates Inc. under Act 143; National Grange Mutual Insurance Company; Doc. No. AT04-03-009

A pre-review telephone conference initiated by this office is scheduled for April 12, 2004, at 10:30 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before March 31, 2004. A date for a review shall be determined, if necessary, at the pre-review telephone conference.

Motion preliminary to those at the review, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 2, 2004, 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 April 9, 2004.

No pre-review memoranda or other written submissions are required for the pre-review conference; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-532. Filed for public inspection March 26, 2004, 9:00 a.m.]

Children's Health Insurance Program; Children's Health Advisory Council Meeting

The Insurance Department (Department) has scheduled a meeting of the Children's Health Advisory Council (Council) on Thursday, April 15, 2004, at 10 a.m. in the Honors Suite, 1st Floor, Education Building, 333 Market Street, Harrisburg, PA. The Children's Health Care Act (40 P. S. §§ 991.2301—991.2361) charges the Council with the responsibilities of overseeing outreach activities and evaluating access and quality of service provided to children enrolled in the Children's Health Insurance Program. The public is invited to attend. Persons who need accommodations due to a disability who wish to attend the meeting should contact Tracey Pontius, Insurance Department, 1300 Strawberry Square, Harrisburg,

Jay David Lebowitz; Prehearing

License Denial; Doc. No. AG04-03-014

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 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 April 28, 2004, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before March 31, 2004. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 16, 2004, 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 April 23, 2004.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-534. Filed for public inspection March 26, 2004, 9:00 a.m.]

Brian K. Ober; Hearing

Appeal of Brian K. Ober under 40 P. S. §§ 991.2101—991.2193; Doc. No. HC04-03-017

A prehearing telephone conference initiated by the Administrative Hearings Office shall be conducted on April 30, 2004, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 31, 2004. The hearing shall occur on May 13, 2004, at 1 p.m. in Room 200, Administrative Hearing Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 3, 2004, 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 May 10, 2004.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-535. Filed for public inspection March 26, 2004, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of the act; 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 hearings will be held in the Insurance Department's regional offices in Harrisburg, Philadelphia and Pittsburgh, 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 Michael J. and Cynthia A. Small; file no. 04-265-00418; Nationwide Insurance Companies; doc. no. PH04-03-008; March 24, 2004, 1 p.m.

Appeal of Cassandra Kottler; file no. 04-181-01640; State Farm Mutual Automobile Insurance Company; doc. no. P04-03-018; April 22, 2004, 10:30 a.m.

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 Barbara J. Keiser and David M. Gould; file no. 03-215-06037; Encompass Insurance Company; doc. no. PH04-03-007; May 12, 2004, 11 a.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Daniel A. and Denise Kozlina Deceder; file no. 04-308-70415; Erie Insurance Exchange; doc. no. PI04-03-020; April 29, 2004, 2 p.m.

Parties may appear with or without counsel and offer relevant testimony or 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 should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-536. Filed for public inspection March 26, 2004, 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 the company's termination of the insureds' policy. The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Steven and Theresa Shuback; file no. 04-303-70308; Millers Capital Insurance Company; doc. no. PI04-03-019; April 29, 2004, 3 p.m.

Each party 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.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (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 should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-537. Filed for public inspection March 26, 2004, 9:00 a.m.]

State Farm Mutual Automobile Insurance Company; Requesting Authority to Increase Rates and Modify the Attained Age Rating Structure for Individual Standardized Medicare Supplement Plans; Rate Filing

On March 12, 2004, the Insurance Department (Department) received from State Farm Mutual Automobile Insurance Company a filing to increase rates and modify the attained age rating structure for its individual Medicare supplement plans. The filing applies to forms 97037, 97038, 97039 and 97041, which correspond to standardized plans A, C, F and B, respectively. The company requests an aggregate rate increase of 6.3% for each form to be effective September 1, 2004, with actual adjustments ranging from -4.4% to 19.9% depending on the age of the insured. The proposed adjustment will affect 11,998 insureds and will result in additional annual premium of approximately \$1.2 million.

Unless formal administrative action is taken prior to June 10, 2004, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website: www.ins.state.pa.us. To access the filing, select "Consumer Information" on the left side. Under the "General Information" heading, click on "Notices." The PDF copy is at the "Filing.pdf" link following the name of the filing.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional offices in Harrisburg, Philadelphia and Pittsburgh.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-538. Filed for public inspection March 26, 2004, 9:00 a.m.]

Michael R. Toney; Hearing

License Denial; Doc. No. AG04-03-015

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 April 28, 2004, at 11 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before March 30, 2004. A hearing shall occur on May 18, 2004, at 1 p.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

On or before May 4, 2004, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 7, 2004, 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 May 14, 2004.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-539. Filed for public inspection March 26, 2004, 9:00 a.m.]

Robert F. Walters, Jr.; Hearing

Order to Show Cause; Doc. No. SC03-12-021

A prehearing telephone conference initiated by this office is scheduled for April 14, 2004, at 10:30 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before March 26, 2004. A hearing shall occur on April 27, 2004, at 10:30 a.m. in the Administrative Hearings Office, Capitol Associates Buildings, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

On or before April 16, 2004, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with

a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

On or before April 16, 2004, the parties shall file a joint statement of stipulated facts and documents. Stipulation to a fact or to admissibility of a document will not waive or impair a party's right to argue weight or relevancy. Facts and documents contained in the stipulation need not be recited in prehearing statements.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 2, 2004, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before April 9, 2004.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-540. Filed for public inspection March 26, 2004, 9:00 a.m.]

OFFICE OF ATTORNEY GENERAL

Initial Publication of Tobacco Product Manufacturer Directory

The Tobacco Product Manufacturer Directory required under 35 P.S. § 5702.301 will appear on the website of the Office of Attorney General, www.attorneygeneral.gov, on March 27, 2004.

GERALD J. PAPPERT,
Attorney General

[Pa.B. Doc. No. 04-541. Filed for public inspection March 26, 2004, 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 on Monday, April 5, 2004, at 9:30 a.m. at the Wildwood Conference Center, Harrisburg Area Community College, One HACC Drive, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority, (717) 346-0469.

ALAN B.K. RABINOWITZ,
Administrator

[Pa.B. Doc. No. 04-542. Filed for public inspection March 26, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 19, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to *begin* operating as *common carriers* for transportation of persons as described under the application.

A-00111011, Folder 4. The Rose Limousine Service, Inc. (676 Main Road, Hanover Township, Luzerne County, PA 18706-6055), a corporation of the Commonwealth—persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the County of Luzerne, and from points in said county, to points in Pennsylvania, and return.

Application of the following for certificate of public convenience approving the operation of motor vehicles as *common carriers* for the transportation of *household goods* by transfer as described under the application.

A-00120525, Folder 2. Anthony G. Furman t/d/b/a Platinum Moving Company (2332 North 29th Street, City and County of Philadelphia, PA 19132)—household goods in use, between points in the City and County of Philadelphia, and from points in said city and county, to points in Pennsylvania, and vice versa.

Applications of the following for *amendment* to the certificate of public convenience 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-00117022, Folder 2, Am-A. Aloysius K. Drapcho t/d/b/a Drapcho Shuttle Service (607 Dwight Street, Coudersport, Potter County, PA 16915)—discontinuance of service—persons, in paratransit service, between points in the Borough of Coudersport, Potter County, and within an airline distance of 20 statute miles of the limits of said borough, and from points in said territory, to points in Pennsylvania, and return.

A-00117022, Folder 1, Am-A. Aloysius K. Drapcho t/d/b/a Drapcho Shuttle Service (607 Dwight Street, Coudersport, Potter County, PA 16915)—discontinuance of service—persons, in airport transfer service, from points in the Borough of Coudersport, Potter County, and within an airline distance of 30 statute miles of the limits of said borough, to airports located in Pennsylvania.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Travel With Comfort, Inc.; Doc. No. A-00115561C; A-00115561; Fs. 1 & 3

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Travel With Comfort, Inc., respondent, maintains its principal place of business at P. O. Box 23105, Philadelphia, PA 19124.

2. That respondent was issued a certificate of public convenience by this Commission on July 8, 2003, at Application Docket No. A-00115561.

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 2001, 2002 and 2003.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) 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-00115561 Fs. 1 & 3.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, 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.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. S. J. Falbo Italian Cheese Co.; Doc. No. A-00112881C; A-00112881; Fs. 1 & 3

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That S. J. Falbo Italian Cheese Co., respondent, maintains its principal place of business at 9 Empire Boulevard, Moonachie, NJ 07074.

2. That respondent was issued a certificate of public convenience by this Commission on August 18, 1997, at Application Docket No. A-00112881.

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 2001, 2002 and 2003.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) 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-00112881.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, 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.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Michael J. Alexander t/a Alexander's Delivery; Doc. No. A-00112496C; A-00112496

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section

701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Michael J. Alexander, t/a Alexander's Delivery, respondent, maintains his principal place of business at 1119 Fifth Street, Sandusky, OH 17660.

2. That respondent was issued a certificate of public convenience by this Commission on April 11, 1996, at Application Docket No. A-00112496.

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 2001, 2002 and 2003.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) 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-00112496.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, 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.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Dispatch Trucklines, Inc.; Doc. No. A-00111144C; A-00111144

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Dispatch Trucklines, Inc., respondent, maintains its principal place of business at 85 Adams Cir., Pinhurst, NC 28374.

2. That respondent was issued a certificate of public convenience by this Commission on January 13, 1995, at Application Docket No. A-00111144.

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 2001, 2002 and 2003.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) 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-00111144.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, 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. 04-543. Filed for public inspection March 26, 2004, 9:00 a.m.]

Water Service

A-210104F0049. Aqua Pennsylvania, Inc. Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in an additional portion of Caln Township, Chester County.

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 April 12, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Aqua Pennsylvania, Inc

Through and By Counsel: Mark J. Kropilak, Esquire,
762 West Lancaster Avenue, Bryn Mawr, PA 19010.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-544. Filed for public inspection March 26, 2004, 9:00 a.m.]

Water Service

A-212640F2000. Roulet Water Company. Application of Roulet Water Company for approval of: (1) the transfer by sale of Roulet Water Company to the Township of Roulette; and (2) the abandonment or discontinuance of water utility service by Roulet Water Company in the Township of Roulette, Potter County.

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 April 12, 2004. Documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Roulet Water Company

Through and By Counsel: Patrick H. Larsen, Esquire, Acker and Larsen, P. C., 215 North Main Street, Coudersport, PA 16915.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-545. Filed for public inspection March 26, 2004, 9:00 a.m.]

SECURITIES COMMISSION

Securities Transaction Exemption for SEC Rule 144A Exchange Transactions in Debt Securities with Certain Accredited Investors; Exemption Order

Whereas, Rule 144A adopted by the United States Securities and Exchange Commission (SEC) under the Securities Act of 1933 (1933 Act) (17 C.F.R. § 230.144A) applies to private resales of securities purchased by a Qualified Institutional Buyer (QIB) from an issuer (Rule 144A Issuer) in a nonpublic offering of securities exempt under Section 4(2) of the 1933 Act (Rule 144A Offering); and

Whereas, Under SEC Rule 144A, a QIB may effect a private resale of securities purchased in a Rule 144A Offering to an institutional accredited investor as defined in Rule 501(a)(1), (2), (3) or (7) of SEC Regulation D (17 C.F.R. §§ 230.501(a)(1)—(3), (7)) (Institutional Accredited Investor); and

Whereas, It is not uncommon for a Rule 144A Issuer to file a registration statement with SEC under Section 5 of

the 1933 Act subsequent to a Rule 144A Offering in which the Rule 144A Issuer seeks to register debt securities with the same characteristics as the debt securities it sold in the Rule 144A Offering (Registered Debt) and, for no additional consideration, exchange the Registered Debt for debt securities sold in the Rule 144A Offering (Exchange Transaction); and

Whereas, An Institutional Accredited Investor located in the Commonwealth of Pennsylvania that holds debt securities sold in the Rule 144A Offering may receive an offer to exchange those debt securities for Registered Debt; and

Whereas, The Pennsylvania Securities Commission (Commission), after due deliberation, has determined that it is necessary and appropriate and consistent with the purposes fairly intended by the Pennsylvania Securities Act of 1972 (1972 Act) to issue the following order:

Now, Therefore, on this 16th day of March 2004, the Commission, pursuant to Section 203(r) of the 1972 Act, finds that it is neither necessary nor appropriate for the protection of investors to require registration under Section 201 of the 1972 Act for the offer or sale of a security in a transaction if the following requirements are met:

(1) A person who owns outstanding debt securities (and any related guarantees) exchanges those securities for debt securities (and any related guarantees) of the same issuer which are the subject of an effective registration statement filed with the United States Securities and Exchange Commission (SEC) under Section 5 of the Securities Act of 1933 (15 U.S.C. § 77(e)) (Exchange Transaction).

(2) The outstanding debt securities (and any related guarantees) are "restricted securities" as that term is defined in SEC Regulation 144(a)(3) (17 C.F.R. § 230.144(a)(3)).

(3) No consideration is paid by the owner of the outstanding debt securities (and any related guarantees) in connection with the Exchange Transaction.

(4) There are no material differences in the terms of the outstanding debt securities (and any related guarantees) and the debt securities (and any related guarantees) which are the subject of the Exchange Transaction.

The effective date of this Order shall begin on the date the Order is published in the *Pennsylvania Bulletin* and shall end on the date of publication in the *Pennsylvania Bulletin* of a final rule adopted by the Commission codifying an exemption containing substantially the same terms as this Order in Title 64, Chapter 203 of the *Pennsylvania Code*.

JEANNE S. PARSONS,
Secretary

[Pa.B. Doc. No. 04-546. Filed for public inspection March 26, 2004, 9:00 a.m.]