

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending October 16, 2007.

BANKING INSTITUTIONS

Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-12-07	Monument Bank Doylestown Bucks County	Doylestown	Approved
10-16-07	Prestige Community Bank Newtown Bucks County	104 Pheasant Run Newtown Bucks County	Commenced Operations

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
10-11-07	First Keystone Corporation, Berwick, to acquire 100% of Pocono Community Bank, Stroudsburg, which will be merged with and into First Keystone National Bank, Berwick (a wholly-owned subsidiary of First Keystone Corporation).	Berwick	Approved

Section 112 Applications

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
10-11-07	Harleysville National Corporation, Harleysville, to acquire up to 19.9% of Berkshire Bancorp, Inc., Wyomissing, and thereby indirectly acquire up to 19.9% of the voting control of Berkshire Bank, Wyomissing.	Harleysville	Approved
This application is in conjunction with an application by Harleysville National Corporation, Harleysville, for approval to acquire 100% of East Penn Financial Corporation, Emmaus, which currently has approval to own up to 19.9% of Berkshire Bancorp, Inc.			
10-15-07	The PNC Financial Services Group, Inc., Pittsburgh, to acquire up to 19.9% of Bucks County Bank, Doylestown, in conjunction with the acquisition of Yardville National Bancorp, Hamilton, NJ. (Yardville National Bancorp owned 13.39% of the common shares of Bucks County Bank at the time the application was filed, but currently owns less than 10.0% of Bucks County Bank.)	Pittsburgh	Withdrawn

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-15-07	Federated Investors Trust Company of PA, Pittsburgh, and Federated Investors Trust Company, Sicklerville, NJ Surviving Institution— Federated Investors Trust Company of PA, Pittsburgh	Pittsburgh	Approved
Merger will complete the conversion from a New Jersey State-chartered institution to a Pennsylvania State-chartered trust company.			

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-11-07	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	273 DeKalb Pike North Wales Montgomery County	Filed
10-12-07	Conestoga Bank Chester Springs Chester County	630 Skippack Pike Whitpain Township Montgomery County	Approved
10-12-07	Republic First Bank Philadelphia Philadelphia County	8764 Frankford Avenue Philadelphia Philadelphia County	Approved
10-12-07	Abington Savings Bank Jenkintown Montgomery County	420 South York Road Hatboro Montgomery County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-10-07	Firsttrust Savings Bank Conshohocken Montgomery County	<i>To:</i> Butler Avenue and County Line Road Chalfont Bucks County <i>From:</i> 4275 County Line Road Chalfont Bucks County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-12-07	Stonebridge Bank Exton Chester County	1212 Churchville Road Bel Air Harford County, MD	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 07-1989. Filed for public inspection October 26, 2007, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Availability of 2007-2008 Career and Technical Education Curriculum Grants

Applications for curriculum grant funding are invited. The project period is December 3, 2007, to June 30, 2008. The maximum amount per project is \$25,000.

1. Eligibility Requirements

Funding is available on a competitive basis to career and technical education centers, area vocational-technical schools that offer approved career and technical education programs.

2. Application Deadline

Applications are due November 30, 2007, by 5 p.m.

3. How to apply

The Department of Education (Department) has implemented an internet-based E-Grant system that requires

eligible applicants to apply for funding online. The grant guidelines will be available on the Department's website www.pde.state.pa.us/. On the left side click on: Pre K-12 Schools, Career and Technical Education, Grants and Funding and Funding Sources. This page provides a listing of the various funding guidelines. Click on Curriculum Grants.

4. Questions Concerning the Grant Application

Questions concerning the grant application should be addressed to John Bonchalk, General Vocational Education Advisor, Department of Education, Bureau of Career and Technical Education, Data Analysis, Assessment and Contracts Division, 333 Market Street, 11th Floor, Harrisburg, PA 17126-0333, (717) 772-4853, jbonchalk@state.pa.us.

GERALD L. ZAHORCHAK, D. Ed.,
Secretary

[Pa.B. Doc. No. 07-1990. Filed for public inspection October 26, 2007, 9:00 a.m.]

Availability of 2007-2008 Career and Technical Education Equipment Grants

Applications for equipment grant funding are invited. The project period is December 3, 2007, to June 30, 2008. The maximum amount per project is \$50,000.

1. *Eligibility Requirements*

Funding is available on a competitive basis to career and technical education centers, area school districts with eight or more approved career and technical programs two of which must be trade and industrial, and school districts with approved career and technical education agriculture programs.

2. *Application Deadline*

Applications are due November 30, 2007, by 5 p.m.

3. *How to apply*

The Department of Education (Department) has implemented an internet-based E-Grant system that requires

eligible applicants to apply for funding online. The grant guidelines will be available on the Department's website at www.pde.state.pa.us/. On the left side click on Pre K-12 Schools, Career and Technical Education, Grants and Funding and Funding Sources. This page provides a listing of the various funding guidelines. Click on Equipment Grants.

4. *Questions Concerning the Grant Application*

Questions concerning the grant application should be addressed to John Bonchalk, General Vocational Education Advisor, Department of Education, Bureau of Career and Technical Education, Data Analysis, Assessment and Contracts Division, 333 Market Street, 11th Floor, Harrisburg, PA 17126-0333, (717) 772-4853, jbonchalk@state.pa.us.

GERALD L. ZAHORCHAK, D. Ed.,
Secretary

[Pa.B. Doc. No. 07-1991. Filed for public inspection October 26, 2007, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final

determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0061646	Pennsylvania American Water 100 Pennsylvania Avenue Wilkes-Barre, PA 18701	Roaring Brook Township Lackawanna County	Stafford Meadow Brook 5A HQ-CWF	Y
PA0064289	Johnson's Home for the Aged R. R. 2 Box 72 Wapwallopen, PA 18660	Hollenback Township Luzerne County	UNT to Wapwallopen Creek Watershed 5B CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0087017 (SEW)	Lower Paxton Township Authority—Springford Village WWTP 425 Prince Street Suite 139 Harrisburg, PA 17109	Dauphin County Lower Paxton Township	Nyes Run 7-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0228656 IW	Irvona Municipal Authority P. O. Box 247 Irvona, PA 16656	Clearfield County Irvona Borough	North Witmer Run 8C	Y
PA0112551 (Nonmunicipal)	Randall B. Moyer SFTF 230 Madisonburg Pike Madisonburg, PA 16852	Centre County Miles Township	UNT to Elk Creek 6A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0210285	James A. Newton 959 Jackson Avenue Warren, PA 16365	Glade Township Warren County	UNT to Glade Run 16-B	Y
PA0239062	Norbert F. Dietrich 30002 Lake Creek Road Cochranon, PA 16314	Wayne Township Crawford County	UNT to Sugar Creek 16-D	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.

PA0058505, Sewage, SIC 5812, **Kilcar House, Inc.**, 1197 California Road, Quakertown, PA 18951-4519. This proposed facility is located in Richland Township, **Bucks County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge 1,400 gpd of treated sewage into the Tohickon Creek.

The receiving stream, Tohickon Creek, is in the State Water Plan Watershed 2D and is classified for: TSF. The nearest downstream public water supply intake for PA American Water Company is located on Delaware River and is 31.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 1,400 gpd.

Parameter	Average Monthly (mg/l)		Instantaneous Maximum (mg/l)	
CBOD ₅	25		50	
Suspended Solids	30		60	
Ammonia (as N)	20.0		40.0	
Phosphorus (as P)	Monitor and Report		Monitor and Report	
(0-2 Years)	0.5		1.0	
(3-5 Years)	0.5		1.2	
Total Residual Chlorine	200 colonies/100 ml		1,000 #/100 ml	
Fecal Coliform	minimum of 2.0 mg/l at all times			
Dissolved Oxygen	within limits of 6.0 to 9.0 Standard Units at all times			
pH				

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

1. The EPA waiver is in effect.
2. Disinfection required.

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

PA-0012742, Industrial, **Copperhead Chemical Company, Inc.**, Two River Road, Tamaqua, PA 18252. This proposed facility is located in Walker Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES Permit.

The receiving stream, Little Schuylkill River, is in the State Water Plan Watershed 3A and is classified for: CWF. The nearest downstream public water supply intake for Pottsville Water Authority is located on Schuylkill River is 50 miles below the point of discharge.

The proposed effluent limits for Outfall 011 based on a design flow of 0.0175 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
BOD ₅	4.0	8.84		
Total Suspended Solids	4.9	10.1		
COD	12.5	35.5		
Oil and Grease			15.0	30.0
Total Residual Chlorine			1.2	2.8
Fecal Coliform			200/100 ml	
(5-1 to 9-30)				
(10-1 to 4-30)			2,000/100 ml	
pH			6 to 9 Standard Units	

PA-0063568, Industrial, **Northampton Borough Municipal Authority**, 1 Clear Springs Drive, Northampton, PA 18067. This proposed facility is located in Whitehall Township, **Lehigh County**.

Description of Proposed Activity: Discharge of treated industrial waste water consisting of potable water filtration plant backwash water.

The receiving stream, Spring Creek, is in the State Water Plan Watershed 2C and is classified for: CWF. The nearest downstream public water supply intake for City of Allentown is located on Lehigh River is 8.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.95.

Outfall 001

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
Aluminum			1.2	2.0
Manganese			1.0	2.0
Total Iron			2.0	4.0
Total Suspended Solids			30	60
pH			6.0 to 9.0 Standard Units at all times	
Total Residual Chlorine			0.68	1.60

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

1. *Chemical Additives*

PA#0070505, Industrial, **Geo Specialty Chemicals**, 2409 North Cedar Crest Boulevard, Allentown, PA 18104-9733. This existing facility is located in South Whitehall Township, **Lehigh County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated industrial wastewater and noncontact cooling water.

The receiving stream, Jordan Creek, is in the State Water Plan Watershed 02C and is classified for: TSF, MF. The nearest downstream public water supply intake for BCWSA is located on the Delaware River more than 50 miles below the point of discharge.

The proposed effluent limits for Monitoring Point 101 (treated wastewater) are based on a flow of 2.0 mgd:

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
Flow (mgd)	Report	Report		
BOD ₅	540	1,430	32	86
Total Suspended Solids	790	2,570	48	154
pH	Within limits of 6.0 to 9.0 Standard Units at all times			

The proposed effluent limits for Outfall 001 (treated wastewater and noncontact cooling water) are based on a flow of 6.0 mgd.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Report	Report			
CBOD ₅					
(5-1 to 10-31)	550	1,100	11	22	27
(11-1 to 4-30)	1,100	2,200	22	44	55
NH ₃ -N					
(5-1 to 10-31)	130	260	2.6	5.2	6.5
(11-1 to 4-30)	390	780	7.8	15	19
Dissolved Oxygen	Minimum of 5.0 at all times				
Total Suspended Solids	1,250	2,500	25	50	62
Phosphorus	350	700	7	14	17
Sulfate	25,000	50,000	500	1,000	1,250
Total Dissolved Solids	50,000	100,000	1,000	2,000	2,500
Color			100 Pt-co	200 Pt-co	250 Pt-co
pH	Within limits of 6.0 to 9.0 Standard Units at all times				
Formaldehyde			0.05		

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

Controlling chemical additives usage rates, maintenance of wells for groundwater monitoring, monitoring waiver for specified parameters, PPC and BMP requirements applicable to stormwater discharges.

The EPA waiver is not in effect.

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

Application No. PA 0088889, CAFO, **Graywood Farms, LLC**, 225 Mason Dixon Road, Peach Bottom, PA 17653.

Graywood Farms, LLC has submitted an application to renew the NPDES permit for Graywood Dairy Farm, an existing dairy operation in Fulton Township, **Lancaster County**. The CAFO is situated near a UNT of Conowingo Creek (Watershed 7-K), which is classified as a HQ-CWF. The CAFO has a target animal population of approximately 1,181 animal equivalent units consisting of 607 adult cows, 365 heifers and 159 calves.

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

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

The Environmental Protection Agency permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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

PA0205001, Industrial Waste, SIC 4941, **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701. This application is for renewal of an NPDES permit to discharge treated process water from the West Lebanon Water Plant in Young Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, Wertz Pond, classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Buffalo Township Water Authority, located at Freeport, 37 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.003 mgd.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
TSS			30		60
Aluminum			4		8
Iron			2		4
Manganese			1		2
TRC			0.5		1.0
pH	not less than 6.0 nor greater than 9.0 Standard Units				

Other Conditions:

The EPA waiver is in effect.

PA0205079, Industrial Waste, SIC 2086, **American Beverage Company**, One Daily Way, Verona, PA 15147. This application is for renewal of an NPDES permit to discharge untreated noncontact cooling water and stormwater from a bottling plant in Verona Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Plum Creek, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Fox Chapel Water Authority, located at Fox Chapel, 1.7 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.047 mgd.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (° F)					
Jan. 1-Jan. 31					72.4
Feb. 1-Feb. 29					75.4
Mar. 1-Sep. 15					110
Sep. 16-Sep. 30					106.9
Oct. 1-Oct. 15					101.1
Oct. 16-Oct. 31					95.1
Nov. 1-Nov. 15					90.4
Nov. 16-Nov. 30					75.9
Dec. 1-Dec. 31					66.3
pH	not less than 6.0 nor greater than 9.0				

Outfall 003: existing discharge, design flow of 0.036 mgd.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (° F)					
Jan. 1-Jan. 31					72.4
Feb. 1-Feb. 29					75.4
Mar. 1-Sep. 15					110
Sep. 16-Sep. 30					106.9
Oct. 1-Oct. 15					101.1
Oct. 16-Oct. 31					95.1
Nov. 1-Nov. 15					90.4
Nov. 16-Nov. 30					75.9
Dec. 1-Dec. 31					66.3
pH	not less than 6.0 nor greater than 9.0				

Outfall 004: existing discharge, design flow of 0.048 mgd.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (° F)					
Jan. 1-Jan. 31					72.4
Feb. 1-Feb. 29					75.4
Mar. 1-Sep. 15					110
Sep. 16-Sep. 30					106.9
Oct. 1-Oct. 15					101.1
Oct. 16-Oct. 31					95.1
Nov. 1-Nov. 15					90.4
Nov. 16-Nov. 30					75.9
Dec. 1-Dec. 31					66.3

pH

not less than 6.0 nor greater than 9.0

The EPA waiver is in effect.

PA0093165, Sewage, **Claysville-Donnegal Joint Municipal Authority**, P. O. Box 467, Claysville, PA 15323. This application is for renewal of an NPDES permit to discharge treated sewage from Claysville Water Pollution Control Plant in Donegal Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Dutch Fork, 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 Claysville-Donnegal Joint Municipal Authority.

Outfall 001: existing discharge, design flow of 0.16 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	15	22.5		30
Suspended Solids	25	38		50
Ammonia Nitrogen				
(5-1 to 10-31)	1.5	2.3		3.0
(11-1 to 4-30)	4.0	6.0		8.0
Phosphorus	2	3		4
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	0.03			0.10
Dissolved Oxygen	not less than 7.0 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)

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

WQM Permit No. 5207402, Sewerage, **PA American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033. This proposed facility is located in Lehman Township, **Pike County**.

Description of Proposed Action/Activity: This project consists of upgrades to the existing Saw Creek Wastewater Treatment Plant to include replacement of blowers, pumps, instruments, aeration systems in kind/replace gaseous CI w/liquid NaOCI.

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

WQM Permit No. 6707410, Sewerage, **Jackson Township Sewer Authority**, 439 Roth's Church Road, Spring Grove, PA 17362. This proposed facility is located in Jackson Township, **York County**.

Description of Proposed Action/Activity: Application for construction/operation of the Northern Sanitary Sewer Collection System and Pumping Station to serve the Village of Thomasville.

WQM Permit No. 2207404, Sewerage, **Susquehanna Township Authority**, 1900 Linglestown Road, Harrisburg, PA 17110. This proposed facility is located in Susquehanna Township, **Dauphin County**.

Description of Proposed Action/Activity: Application for construction/operation of sewer extension and pump station to serve the Maplewood Development.

WQM Permit No. 6707411, Sewerage, **Dillsburg Area Authority**, 98 West Church Street, P. O. Box 370, Dillsburg, PA 17019. This proposed facility is located in Monroe Township, **Cumberland County** and Carroll Township, **York County**.

Description of Proposed Action/Activity: Application for construction/operation of the Berkshire Hills Interceptor.

WQM Permit No. 0707403, Sewerage, **Duncansville Municipal Authority**, P. O. Box 502, Duncansville, PA 16635. This proposed facility is located in Duncansville and Allegheny Townships, **Blair County**.

Description of Proposed Action/Activity: Application for construction/operation of upgrade major collectors and interceptors in the Borough of Duncansville.

WQM Permit No. 6798403, Amendment 07-1, Sewerage, **Conewago Township Sewer Authority**, 600 Locust Point Road, York, PA 17406. This proposed facility is located in Conewago Township, **York County**.

Description of Proposed Action/Activity: Application for construction/operation to obtain updated organic treatment capacity using vendor Process Design Report.

WQM Permit No. 0107202, CAFO, **Hillandale Gettysburg, LP**, 370 Spicer Road, Gettysburg, PA 17325. This proposed facility is located in Tyrone Township, **Adams County**.

Description of Proposed Action/Activity: Requesting approval to expand layer operation and egg processing facility.

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

WQM Permit No. 5607404, Jerry J. Klotz, 821 East Main Street, Somerset, PA 15501. This proposed facility is located in Somerset Township, **Somerset County**.

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

WQM Permit No. 463S028-A1, Sewerage, **Westmoreland Fayette Municipal Sewer Authority**, P. O. Box 126, Scottdale, PA 15683. This existing facility is located in East Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the modification of chlorine contact system.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907024	Bruce Uhl 3109 Birchwood Drive Allentown, PA 18103	Lehigh	Salisbury Township	Trout Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024807014	Traditions of America, LP Attn: J. B. Reilly 1 Saucon View Drive Bethlehem, PA 18017	Northampton	Hanover Township	Monocacy Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041706003	Department of Transportation 2-0 1924 Daisy Street Extension Clearfield, PA 16830	Clearfield	Goshen and Lawrence Townships	Lick Run HQ-CWF

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI050303001	Jack Claypoole R. D. 2 Box 153 Dayton, PA 16222	Armstrong	Cowanshannock Township	South Branch of Pine Creek HQ-CWF

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

Conservation District: Crawford County Conservation District, Woodcock Creek Nature Center, 21742 German Road, Meadville, PA 16433, (814) 763-5269.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI062007002	Cambridge Area Joint Authority 161 Carringer Street Cambridge Springs, PA 16403	Crawford	Cambridge Borough Cambridge Township	French Creek WWF

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

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

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 2307503, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Township	Springfield
County	Delaware
Responsible Official	Karl Kyriss 762 Lancaster Avenue Bryn Mawr, PA 19010-3489
Type of Facility	PWS
Consulting Engineer	CET Engineering Services 1240 North Mountain Road Harrisburg, PA 17112-1788
Application Received Date	October 5, 2007
Description of Action	Installation of the Aries Managed Air System.

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

Application No. 4007508, Public Water Supply.

Applicant	United Water Pennsylvania, Inc. Dallas Township Luzerne County
Responsible Official	John D. Hollenbach, General Manager United Water Pennsylvania, Inc. 4211 East Park Circle Harrisburg, PA 17111
Type of Facility	Community Water System

Consulting Engineer Thomas R. Schink, P. E.
United Water Pennsylvania, Inc.
4211 East Park Circle
Harrisburg, PA 17111
(717) 561-1103
Ext. 1652

Application Received Date October 1, 2007

Description of Action Application for construction of a booster pump station with a flow control valve to allow transfer of water between two pressure gradients within UWP's Dallas, PA distribution system.

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

Permit No. 3607513, Public Water Supply.

Applicant **Yogi Bear's Jellystone Park**
Municipality East Drumore Township
County **Lancaster**
Responsible Official Yogi Bear's Jellystone Park,
Owner
340 Blackburn Road
Quarryville, PA 17566

Type of Facility Public Water Supply
Consulting Engineer G. Matthew Brown, P. E.
ARRO Consulting, Inc.
270 Granite Run Drive
Lancaster, PA 17601

Application Received: September 24, 2007

Description of Action Installation of general corrosion control, softening, disinfection and nitrate removal systems.

Permit No. 3607514, Public Water Supply.

Applicant **Borough of Lititz**
Municipality Lititz Borough
County **Lancaster**
Responsible Official Borough of Lititz, Borough
Manager
7 South Broad Street
Lititz, PA 17543

Type of Facility Public Water Supply
Consulting Engineer Michael J. Daschbach, P. E.
Entech Engineering, Inc.
4 South Fourth Street
Reading, PA 19603

Application Received: September 25, 2007

Description of Action Construction of a new Kissel Hill booster pump station adjacent to the existing station.

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

Permit No. 5056A3, Public Water Supply.

Applicant **Borough of Tarentum**
318 2nd Avenue
Tarentum, PA 15084

Township or Borough Tarentum Borough
Responsible Official William Rossey
Borough of Tarentum
318 2nd Avenue
Tarentum, PA 15084

Type of Facility Water treatment plant
Consulting Engineer Gibson-Thomas Engineering Co.,
Inc.
1004 Ligonier Street
P. O. Box 853
Latrobe, PA 15650

Application Received Date September 27, 2007

Description of Action Change from soda ash to caustic soda.

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

Application No. 2507505, Public Water Supply.

Applicant **Lake Shore Club District Association**
Township or Borough Fairview Township
Erie County
Responsible Official Gerard N. Cairns, President
Consulting Engineer Robert L. Rabell, P. E.
R. L. Rabell Surveying &
Engineering
10560 Walnut Street
Albion, PA 16401

Application Received Date September 24, 2007

Description of Action Installation of approx 25,000 LF of new 6" and 8" waterlines and appurtenances, elimination of old lines and change from private community water well supply to a bulk municipal water supply source from Fairview Township Water Authority. System will now be consecutive to Fairview Township Water Authority.

Application No. 3307501, Public Water Supply.

Applicant **Winslow Township Supervisors**
Township or Borough Winslow Township
Jefferson County
Responsible Official Robert Krajewski, Chairperson
Consulting Engineer Jeffrey B. Spencer, EIT
Gwin, Dobson & Foreman, Inc.
3121 Fairway Drive
Altoona, PA 16602

Application Received Date October 9, 2007

Description of Action Extend Borough of Sykesville water system to the Village of Soldier. Project will involve the installation of 18,000 LF of 8" and 2,000 LF of 6" waterline, a 75,000 gal. water storage tank, booster pump station and all required appurtenances.

MINOR AMENDMENT

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

Application No. 2680501MA, Minor Amendment.

Applicant	Municipal Authority of Westmoreland County 6064 Route 30 P. O. Box 730 Greensburg, PA 15601
Township or Borough	Connellsville
Responsible Official	John P. Ashton, Operations Manager-Production Municipal Authority of Westmoreland County 6064 Route 30 P. O. Box 730 Greensburg, PA 15601
Type of Facility	Indian Creek Water Treatment Plant
Consulting Engineer	
Application Received Date	September 26, 2007
Description of Action	Replace existing 0—100 pounds per day ammoniators with 0—200 pounds per day ammoniators.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

Union Tank Car, Altoona City, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Union Tank Car, 175 West Jackson Boulevard, Chicago, IL 60604, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs. The property is and will remain a railroad car refurbishing facility. The applicant is seeking to remediate to the Statewide Health and Site-Specific Standards.

Former Mountville Wallpaper Factory, Mountville Borough, **Lancaster County**. Apex Company, 269 Great Valley Parkway, Malvern, PA 19355, on behalf of US Small Business Administration, Robert N.C. Nix Federal Building, 900 Market Street, 5th Floor, Philadelphia, PA 19107, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with metals, VOCs and SVOCs. The property is a former wallpaper manufacturing facility and planned future use is nonresidential. The applicant seeks to remediate to the Statewide Health and Site-Specific Standards.

R. R. Donnelley, Lancaster Township, **Lancaster County**. AMO Environmental Decisions, Inc., 4327 Point Pleasant Pike, Danboro, PA 18916, on behalf of R. R. Donnelley, 1375 Harrisburg Pike, Lancaster, PA 17601, submitted a Notice of Intent to Remediate site groundwater contaminated with VOCs and nickel. The current and intended future use of the property is industrial. The applicant seeks to remediate to the Statewide Health Standard.

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

Wickwire Property, Wysox Township, **Bradford County**. Fagan Engineers, 113 East Chemung Place, Elmira, NY 14904 on behalf of Gary Wickwire, R. R. 2, Box 101, Wysox, PA 18854 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with benzene, ethylbenzene, isopropyl benzene, naphtha-

lene, toluene, fluorene and phenanthrene. The applicant proposes to remediate the site to meet the Statewide Health Standard. The property will be used for commercial purposes.

Dominion Transmission Ellisburg Compressor Station, Genesee Township, **Potter County**, URS Corporation, 140 Cypress Station Drive, Suite 140, Houston, TX 77090 on behalf of Dominion Resources Services, Inc., 501 Martindale Street, Suite 400, Pittsburgh, PA 15212-5817 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with ethylene glycol. The applicant proposes to remediate the site to meet the Statewide Health Standard. The site will continue to be used as a natural gas compressor station.

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

Former GTE Products Corporation Titusville Facility, Oil Creek Township, **Venango County**. Malcolm Pirnie, 43 British American Boulevard, Latham, NY 12110 on behalf of GTE Operations Support Incorporated, One Verizon Way VC34W453, Basking Ridge, NJ 07920-1097, has submitted a Notice of Intent to Remediate. Remediation will involve soil and groundwater beneath the ground surface that have been impacted by VOCs from past manufacturing operations. The site will continue to be used for nonresidential, industrial/commercial purposes. The Notice of Intent to Remediate was published in *The Titusville Herald* on September 5, 2007.

RESIDUAL WASTE GENERAL PERMITS

Applications Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and 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 Application Number WMGR039. G & H Oil Company, 2553 Pennsylvania Avenue West Extension, Warren, PA 16365-3620. General Permit Application Number WMGR039 authorizes operation of transfer facilities and rail transloading facilities for the processing of waste oil (including waste oil mixed with waste in accordance with 25 Pa. Code § 298.10(b)(2)(ii) or (iii)), waste oil/water mixtures and asphalt condensate from the manufacture of shingles prior to beneficial use. The approved processing is limited to collection, bulking, storage and passive oil/water separation. The application for renewal of General Permit Application Number WMGR039 was determined to be administratively complete by Central Office on October 10, 2007.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department of Environmental Protection through the Pennsylvania Relay Service (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Applications for Determination of Applicability Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and 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

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

General Permit Application No. WMGR028SE001A. Independence Construction Materials, (Devault Asphalt Plant), located at 4045 State Road, Devault, PA 19432. This application is for a determination of applicability under the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants as an aggregate in roadway construction, an ingredient or component in cement or asphalt products, a soil additive or a soil conditioner located in Charlestown Township, **Chester County**. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on October 10, 2007.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

40-317-033: Stroehmann Bakeries, LC (325 Kiwanis Boulevard, Valmont Industrial Park, Hazleton, PA 18201) for installation of a new bread oven with oxidizer at their facility in Hazle Township, **Luzerne County**.

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

06-05103B: Granger Energy of Morgantown, LLC (16980 Wood Road, Lansing, MI 48906-1044) for construction of a landfill gas treatment plant in the New Morgan Borough, **Berks County**. The treated gas is to be shipped by pipeline to facilities to be used as a fuel in combustion units. The treatment plant will be subject to 40 CFR Part 60, Subpart WWW, Standards of Performance for New Stationary Sources.

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

11-00521A: Fuel Recovery, Inc. (2593 Wexford-Bayne Road, Suite 100, Sewickley, PA 15143) for installation of a portable trammel (rotating screen) and associated equipment for purpose of preprocessing coal refuse at the Lilly coal Refuse Site in Washington Township, **Cambria County**.

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

24-083M: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) for construction of an electric furnace with associated oxidizer in St. Marys City, **Elk County**. This is a Title V facility.

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

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

46-0032C: SPS Technologies, LLC (301 Highland Avenue, Jenkintown, PA 19046) for re-evaluation of limi-

tations for the vapor degreaser on trichloroethylene in Abington Township, **Montgomery County**. The limitation was changed from a 12-ton trichloroethylene per year throughput limit to a 12-ton trichloroethylene per year emission limit.

09-0198: ABC Crushed Materials, LLC (100 Pipe Mill Road, Fairless Hills, PA 19030) for operation of a Portable Nonmetallic Mineral Processing Plant in Falls Township, **Bucks County**. Diesel-Fired Internal Combustion Engines are used to power the processing equipment. Raw, asphalt-brick-concrete materials are processed into Dense Graded Aggregate (DGA) for use at locations within the Keystone Industrial Port Complex (KIPC). The plan approval will allow DGA material for use at locations outside the KIPC. The only pollutant of concern from the proposed operation is PM emissions. This operation has a potential-to-emit of 0.138 tpy for total PM. PM emissions will be controlled by a water spray dust suppression system. The Plan Approval will contain recordkeeping and 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.

36-05001F: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) for moving a tenor to another building in East Donegal Township, **Lancaster County**. Emissions of PM are expected to remain unchanged. The approval will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-05083: Conectiv Mid-Merit, LLC (P. O. Box 6066, 92 DC 72, Newark, DE 19714-6066) for construction of a combined cycle electric generating facility. The proposed facility is to be in Peach Bottom Township, **York County**, off Atom Road, along Pikes Peak Road, approximately one mile northeast of the Borough of Delta.

Plan Approval 67-05083 was originally issued on January 5, 2007. The plan approval has been modified as follows:

Fuel Oil Sulfur Content

The liquid distillate fuel oil fired in the combustion turbines is required to be ultra low sulfur diesel (ULSD) with a maximum sulfur content of 15 ppm (as defined by ASTM Standard D975 Table 1). The original air quality modeling was done using low sulfur diesel (0.05 wt% S) and predicted possible impacts on the Class I areas during firing of fuel oil. A plan approval condition had been included to limit maximum daily fuel oil firing to prevent visibility impacts at the Class I areas. The requirement to use ULSD (0.0015 wt% S) allows increased daily firing of fuel oil. The daily maximum fuel oil firing limits have been changed to reflect the use of ULSD. The annual limit for oil-fired operation has not changed.

40 CFR Part 60 Subpart KKKK Standards of Performance for Stationary Combustion Turbines

The requirements of 40 CFR Part 60 Subpart KKKK had been incorporated into the plan approval. The NOx limit for natural gas firing was incorrectly designated as 25 ppm and has now been corrected to 15 ppm. The NOx limits in the plan approval modification are as follows:

Fuel type	NOx Emission Limit
Natural Gas	15 ppm at 15% O ₂ or 0.43 lb/MW-hr of useful output
Oil	42 ppm at 15% O ₂ or 1.3 lb/MW-hr of useful output

Ammonia Slip

The 5 ppmvd one-hour limit restriction in the plan approval has been replaced with a 5 ppmvd 24-hour rolling block average and a 7 ppmvd 3-hour rolling block average, volume corrected to 15% oxygen. Conectiv is proposing to use a continuous emissions monitor (CEM) to ensure compliance with the ammonia slip limit.

Emissions Testing

Section E, SG01, Condition No. 018 has been revised as follows:

Within 60 days after achieving the maximum firing rate, but not later than 180 days after start-up and, if warranted and requested by the Department of Environmental Protection based on the results of initial testing, each subsequent year of temporary operation thereafter, the permittee shall demonstrate compliance with each of the emission limits established in Conditions Nos. 001, 002, 009 and 010 above and opacity, as per 25 Pa. Code Chapter 139, 40 CFR Part 60 and Title IV.

Further testing will be required in the operating permit. The schedule will be determined based on the emissions testing and CEM data collected during temporary operation.

Subpart GG

Subpart GG has been replaced by the requirements of 40 CFR Part 60, Subpart KKKK. Section E, Condition No. 026 has been revised to remove reference to Subpart GG.

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

12-399-016A: Micron Research Corporation (P. O. Box 269, Emporium, PA 15834) for construction and operation of a four 2,000 pound electric induction furnaces (Source ID P120), six natural gas fired bake furnaces (Source ID P115) and a Baker Perkins double arm mixer (Source ID P110) at their facility in Shippen Township, **Cameron County**. The PM emissions from the proposed double arm mixer and the existing mixer will be controlled by an existing cartridge collector. Additionally, the air contaminant emissions from each carbon bake furnace will be controlled by a natural gas fired thermal afterburner. The facility proposed to install and operate six natural gas fired thermal afterburners (ID C115) to control emissions from the bake furnaces. The operation of the proposed sources will increase the production capacity at the facility. However, the facility will remain as a State-only facility.

The Department of Environmental Protection's (Department) review of the information contained in the application submitted by Micron indicates that the sources and the aircleaning devices will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the fugitive air contaminant emission requirement of 25 Pa. Code § 123.1, the PM emission limitation of 25 Pa. Code § 123.13, the SOx emission limitation of 25 Pa. Code § 123.21 and the visible emission limitation of 25 Pa. Code § 123.41. The plan approval, if issued, will

subsequently be incorporated in an operating permit by means of an administrative amendment in accordance with 25 Pa. Code § 127.450 at a later date.

Based upon this finding, the Department proposes to issue a plan approval for the construction and installation of the proposed sources and control devices. The following is a summary of the conditions the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P110 is a Baker Perkins double arm mixer, the air contaminant emissions from Source ID P110 and the existing mixer shall be controlled with a Neederman Filtermax model 6000 cartridge collector (ID C110).

2. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, only one of the two double arm mixers at the facility shall be operated at any time.

3. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the Mixer's lid shall remain closed at all times except when adding or removing the materials from Source ID P110.

4. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the PM emissions shall not exceed 0.02 grain per dry standard cubic foot from the exhaust of ID C110 associated with Source ID P110. Additionally, there shall be no visible emissions from the exhaust of ID C110 associated with Source ID P110.

5. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P115 consists of six Abbot Furnace Company model 12GAS-156-BOX-1800 furnaces. The air contaminant emissions from each furnace of Source ID P115 shall be controlled by each afterburner of ID C115. Additionally, Source ID P115 and ID C115 shall be fired on natural gas only.

6. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, each afterburner of ID C115 shall be equipped with a 150,000 Btu/hr Eclipse model TJ15 natural gas fired burner.

7. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the minimum temperature of each afterburner shall be maintained at all time at 1,550° F. Additionally, all gases that enter the combustion chamber of each afterburner of ID C115 shall be retained at a minimum of one second at 1,550° F.

8. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall continuously monitor and record the temperature of each afterburner to verify compliance with the minimum temperature requirement for each afterburner.

9. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the PM emissions from ID C115 associated with source ID P115 shall not exceed 0.02 grain per dry standard cubic foot. Additionally the visible emissions from ID C115 shall not exceed 0% opacity.

10. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the NOx, SOx and CO emissions from each afterburner of ID C115 associated with each furnace of Source ID P115 shall not exceed 0.60 pound per hour, 2.60 tons in any 12-consecutive month period and 0.40 pound per hour, 1.73 tons in any 12-consecutive month period and 0.012 pound per hour, 0.05 ton in any 12-consecutive month period respectively.

11. The permittee shall keep records of calculations to verify compliance with the NOx, SOx and CO emissions

limitations for each afterburner of ID C115 associated with each furnace of Source ID P115.

12. Within 180 days of startup of Source ID P115, the permittee shall conduct NO_x and PM stack testing on three afterburners of ID C115 associated with the three furnaces of Source ID P115 to verify compliance with the emission limitations for each furnace of Source ID P115.

13. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, each induction furnace of Source ID P120 shall be equipped with a full diameter hood incorporating a carbon pack through which all of the emissions of each furnace of Source ID P120 must pass before being vented to the atmosphere.

14. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the PM emissions from the exhaust of each induction furnace of ID C120 associated with each furnace of Source ID P120 shall not exceed 0.02 grain per dry standard cubic foot. Additionally the visible emissions from each s furnace of ID C120 shall not exceed 0% opacity.

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

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

42-147B: W. R. Case & Sons Cutlery Co. (P. O. Box 4000, Owens Way, Bradford, PA 16701) for a plan approval to authorize the applicant to permanently operate a Cutlery Making Process in the City of Bradford, **McKean County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval for their plant in the City of Bradford, McKean County. This plan approval will authorize the applicant to permanently operate a Cutlery Making Process. The plan approval will subsequently be incorporated into a State-only Operating Permit at a later date.

Based on the information provided by the applicant and the Department's own analysis the PM emissions from the process will be less than 3 tpy.

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

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 42-147B.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

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

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

AMS 07132: Temple University—Main Campus (1009 West Montgomery Avenue, Philadelphia, PA 19122) for installation of three 91.3 mmBtu/hr boilers at their Central Steam Plant. Each boiler will burn natural gas and No. 2 oil. The boilers will have the following potential annual emissions: 15.5 tons of NO_x, 31.4 tons of CO, 7.0 tons of VOCs, 7.1 tons of SO₂ and 4.2 tons of PM. The plan approval will contain operating, testing, monitoring, recordkeeping and reporting requirements to ensure operation within all applicable requirements.

AMS 06194: Drexel University—University City (3330 Market Street, Philadelphia, PA 19104) for installation and operation of 20 natural gas fired boilers each less than 4 mmBtu/hr, three No. 2 or natural gas fired boiler less than or equal to 5 mmBtu/hr, 17 natural gas fired hot water heaters each less than or equal to 2 mmBtu/hr, three natural gas fired emergency generators each less than or equal to 100 kW, 10 No. 2 oil fired emergency generator each less than 700 hp, one No. 2 oil fired 1,676 hp emergency generator and one No. 2 oil fired 105 hp fire pump in the City of Philadelphia, **Philadelphia County**. There will be a potential emission increase 16 tpy of NO_x. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

48-00032: Grand Central Sanitary Landfill, Inc. (1963 Pen Argyl Road, Pen Argyl, PA 18072) for renewal of their Title V Operating Permit for operation of their landfill in Plainfield Township, **Northampton County**. The facility's major source of emissions is the landfill, which primarily emits VOCs. The proposed Title V Operating Permit does not reflect any change in air emissions from the facility. This Title V Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

21-05026: Carlisle SynTec, Inc. (1295 Ritner Highway, Carlisle, PA 17013) for operation of their synthetic rubber roofing manufacturing plant in Carlisle Borough,

Cumberland County. The facility has the potential to emit more than 50 tons of VOC annually. This is a renewal of the previous Title V operating permit and will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

36-05024: Bigbee Steel & Tank Co. (99 West Elizabethtown Road, Manheim, PA 17545) for operation of their steel storage tank manufacturing facility in Rapho Township, **Lancaster County.** The facility has the potential to emit more than 50 tons of VOC annually. This is a renewal of the previous Title V operating permit and will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality requirements.

67-05012: Transcontinental Gas Pipe Line Corp. (P. O. Box 1396, Houston, TX 77251-1396) for renewal of Title V operating permit issued in March 2003 in Peach Bottom Township, **York County.** The facilities major sources of emissions include five natural gas fired engines, which primarily emit NOx and VOC. TV operating permit 67-05012 will contain restrictions, monitoring, recordkeeping and work practice standards designed to keep the facility operating within all applicable air quality requirements.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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.

36-05107: Pepperidge Farm, Inc. (2195 North Reading Road, Denver, PA 17517) for operation of a bakery at their Denver Plant in East Cocalico Township, **Lancaster County.** This is a renewal of the State-only operating permit issued in December of 2002.

36-05108: International Paper Co. (801 Fountain Avenue, Lancaster, PA 17601) for operation of their solid fiber shipping container manufacturing facility in Manheim Township, **Lancaster County.** This is a renewal of the State-only operating permit issued in June 2002.

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

17-00023: Mill Creek Mining Co.—owner—Energy Resources, Inc.—operator (P. O. Box 259, Brockway, PA 15824) for operation of a dry coal processing facility in Bradford Township, **Clearfield County.**

The facility incorporates a roll crusher, two double deck screens and associated conveyors, and the like as well as a 697 brake horsepower diesel fuel-fired emergency generator.

The air contaminant emissions from the facility are not expected to exceed 6.27 tons of PM, 2.46 tons of PM10, .41 ton of NOx, .10 ton of CO, .07 ton of SOx and 0.01 ton of VOC per year. The facility is not a major (Title V) facility for any air contaminant.

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

cable regulatory requirements pertaining to air contamination sources and the emission of air contaminants. These conditions include:

1. Conditions requiring compliance with the applicable requirements of Subpart Y of the Federal Standards of Performance for New Stationery Sources, 40 CFR 60.250—60.254.

2. Conditions limiting the operation of the 697 brake horsepower diesel fuel-fired emergency generator to no more than 50 hours in any 12-consecutive month period and requiring records to be maintained, and submitted on an annual basis, of the number of hours the emergency generator operates each month.

3. A condition restricting the diesel fuel used in the emergency generator to virgin fuel to which no reclaimed/reprocessed oil, waste oil or other waste materials have been added.

4. A condition prohibiting the operation of the inactive wet coal preparation plant and associated bituminous coal-fired boiler which exists at this location unless plan approval has first been obtained from the Department to reactivate the respective plant and/or boiler.

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

16-00133: Clarion Bathware, Inc. (16273 Route 208, Marble, PA 16334) for re-issuance of a Title V Permit to operate a fiberglass bathware manufacturing facility in Washington Township, **Clarion County.** The facility's major emission sources include the resin and gelcoat operations, miscellaneous natural gas usage, custom, acrylic and mold shops, saws and grinders. The facility is a major facility due to its potential to emit of VOC and styrene. The facility is subject to 40 CFR Part 63, Subpart WWWW—National Emissions Standards for HAPs: Reinforced Plastic Composites Production.

43-00339: Supreme Manufacturing, Inc. (327 Billy Boyd Road, Stoneboro, PA 16153) for issuance of a Natural Minor Operating Permit to operate a facility that manufactures bulk material handling dredges and floating conveyors in New Vernon Township, **Mercer County.** The facility's primary emission sources include a sand-blasting bay and a paint bay.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particu-

lar proposed mining activity, the submittal of the permit application will serve as the request for certification.

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code

Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

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

Coal Applications Received

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
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 ¹			
Alkalinity greater than acidity ¹		greater than 6.0; less than 9.0	

¹ The parameter is applicable at all times.

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

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

56020104 and NPDES No. PA0249246, Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552-0157, permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 128.8 acres. Receiving streams: UNT to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 2, 2007.

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

26070105 and NPDES Permit No. PA0251232. Amerikohl Mining, Inc. (1384 SR 711, Stahlstown, PA 15687) Application for commencement, operation and reclamation of a bituminous surface mine, located in Saltlick Township, **Fayette County**, affecting 71.64 acres. Receiving streams: UNTs to Little Champion Creek, classified for the following use: CWF. There is no

potable water supply intake within 10 miles downstream from the point of discharge. Application received October 5, 2007.

02070104 and NPDES Permit No. 0251224. Collier Land & Coal Development, LP (P. O. Box 62278, Upper St. Clair, PA 15241) Application for commencement, operation and reclamation of a bituminous surface mine, located in Collier Township, **Allegheny County**, affecting 33.3 acres. Receiving streams: UNTs to Robinson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received October 5, 2007.

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

54991302T and NPDES Permit No. PA0223972. S & S Coal Company, LLC (66 Snyder Lane, Hegins, PA 17938), transfer of an existing anthracite underground mine operation from Snyder Coal Company in Barry, Foster and Hegins Townships, **Schuylkill County** affecting 9.5 acres, receiving stream: tributary to Hans Yost Creek. Application received October 3, 2007.

49970202R2. Susquehanna Coal Company (P. O. Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 808.0 acres, receiving stream: none. Application received October 4, 2007.

Noncoal Applications Received

Effluent Limits—The following noncoal mining applications that include an NPDES permit application will be

subject to, at a minimum, the following technology-based effluent limitations for discharges of wastewater to streams:

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

* The parameter is applicable at all times.

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

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

Permit No. 28070801. R. R. Miller & Sons, Inc., 10961 Worleytown Road, Greencastle, PA 17225, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Montgomery Township, **Franklin County**, affecting 9 acres, receiving stream: West Branch Conococheague Creek. Application received October 3, 2007.

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

65070301. Latrobe Specialty Steel Co. (2626 Ligonier Street, Latrobe, PA 15650) Application for commencement, operation and reclamation of a noncoal surface mine, located the City of Latrobe, **Westmoreland County**, affecting 33.25 acres. Receiving stream: Loyalhanna Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received September 21, 2007.

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

29000302. Frank Tucci (25000 PA Route 99, Cambridge Springs, PA 16403). Revision to an existing gravel operation in Rockdale Township, **Crawford County** affecting 24.0 acres. Receiving stream: Kelly Run, classified for the following use: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to add an additional two acres for mineral extraction. Application received October 9, 2007.

37020306. The East Fairfield Coal Co. (Box 217, 10900 South Avenue, North Lima, OH 44452-9792) Revision to an existing noncoal operation in North Beaver Township, **Lawrence County** affecting 170.3 acres. Receiving stream: Honey Creek, classified for the following use: HQ. There are no potable surface water supply intakes within 10 miles downstream. Revision to add 0.9 acre to the permit. Application received October 11, 2007.

4914-37020306-E-1. The East Fairfield Coal Co. (Box 217, 10900 South Avenue, North Lima, OH 44452-9792) Application for a stream encroachment to conduct support activities within 100 feet of an UNT of Honey Creek in North Beaver Township, **Lawrence County** affecting 170.3 acres. Receiving stream: Honey Creek,

classified for the following use: HQ. There are no potable surface water supply intakes within 10 miles downstream. Application received October 11, 2007.

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

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

7773SM1A2C7 and NPDES Permit No. PA0595322. Reading Materials, Inc., (P. O. Box 1467, Skippack, PA 19474) renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Douglass Township, **Berks County**, receiving stream: UNT to Schuylkill River, classified for the following use: WWF. Application received October 9, 2007.

7973SM2C11 and NPDES Permit No. PA0043901. Hanson Aggregates BCM, Inc., (P. O. Box 231, Easton, PA 18044) renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Wrightstown Township, **Bucks County**, receiving stream: UNT to Neshaminy Creek, classified for the following uses: TSF and MF. Application received October 9, 2007.

66060801. Raymond C. Hayduk, Jr., (257 Riverside Drive, Factoryville, PA 18419) Stages I and II bond release for a quarry operation in Lemon Township, **Wyoming County** affecting 2.0 acres, on property owned by Raymond C. Hayduk, Jr. Application received October 9, 2007.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E48-383. Northampton Hospital Corporation d/b/a Easton Hospital, 250 South 21st Street, Easton, PA 18042, in Northampton and Palmer Townships, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments in a tributary to Shoeneck Creek (CWF): 1) An approximate 2,000 LF channel change; 2) a road crossing consisting of a reinforced concrete box culvert having a span of 12.0 feet and underclearance of 4.5 feet; and 3) Two stormwater outfall structures. This work is associated with the proposed Easton Hospital located on the southside of SR 0248, approximately 0.5 mile southeast of SR 0033 (Nazareth, PA Quadrangle N: 15.5 inches; W: 5.0 inches).

E48-392. James R. Blake, 843 Media Street, Bethlehem, PA 18017, in Lower Mt. Bethel Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain an addition on the downstream side of a house and a garage on the upstream side of the house situated in the floodway of the Delaware River (WWF). The project is located between Delaware Avenue and the Delaware River, approximately 4.7 miles north of SR 0022 (Bangor, PA Quadrangle N: 0.7 inch; W: 9.9 inches).

E45-511. The Spirit of Swiftwater, Inc., One Empire Plaza, Stroudsburg, PA 18360, in Pocono Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a road crossing in a tributary to Swiftwater Creek (HQ-CWF) to serve as access to a proposed office building. The project is located at the current site of Swiftwater Inn, just south of the intersection of SR 0314 and SR 0611 (Mt. Pocono, PA Quadrangle N: 17.25 inches; W: 10.91 inches).

E40-677. Can Do, Inc., One South Church Street, Suite 200, Hazleton, PA 18201, in Hazle Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To place fill in two wetland areas totalling 0.035 acre for the purpose of constructing a parallel section of railroad track to improve train movements in and out of Humbolt Industries out of Humbolt Industrial Park. This project is located 2,500 feet south east of the intersection of SR 0924 and Oak Ridge Road (Conyngham, PA Quadrangle N: 8.17 inches; W: 10.52 inches).

E48-381. Monocacy Heights, LP, 4383 Hecktown Road, Suite J, Bethlehem, PA 18020, in Plainfield Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 57.25-inch by 36-inch stormwater outfall structure with 18-foot wingwalls and cable concrete slope protection within the floodway of Little Bushkill Creek (HQ-CWF) associated with the Mint Brook Farms subdivision (Wind Gap, PA Quadrangle N: 0 inch; W: 2.3 inches).

E48-388. Bushkill Professional Center, Inc., 1724 South Delps Road, Bath, PA 18014, in Bushkill Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in an area of EV Wetlands equal to 0.15 acre and to construct and maintain a 42-inch reinforced concrete pipe and an 18-inch RCP across UNTs to Bushkill Creek (HQ-CWF) for the purpose of providing access to the proposed Bushkill Professional Center. The project is generally located east of the intersection of Miller Road (TR 634) and Morristown Road (SR 0512) (Wind Gap, PA Quadrangle N: 11.2 inches; W: 11.4 inches).

E48-386. Lower Mount Bethel Township, 2004 Hutchison Avenue, P. O. Box 257, Bangor, PA 18063, in Lower Mount Bethel Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 5-foot wide by 80-foot long, trapezoidal shape, concrete ford/low flow crossing of Oughoughton Creek (HQ-CWF). This project is located approximately 3,000-feet upstream on the confluence of Oughoughton Creek and the Delaware River (Belvedere, NJ-PA Quadrangle N: 8.76 inches; W: 17.22 inches).

E45-510. Liberty Homes Custom Builders, P. O. Box 260, Pocono Lake, PA 18347, in Tobyhanna Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To place and maintain fill in 0.06 acre of PFO Wetlands for the purpose of constructing a single family residential building. The project is located within Lot 68 in the Arrowhead Lakes Development (Thornhurst, PA Quadrangle N: 5.7 inches; W: 9.5 inches).

E48-393. Traditions of America, LP, One Saucon Drive, Bethlehem, PA 18017, in Hanover Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a trapizoidal shape, rock-lined stormwater outfall channel to the Monocacy Creek (HQ-CWF). This project is located approximately 100-feet downstream of Bridal Path Road along the Monocacy Creek (Catassauqua, PA Quadrangle N: 5.7 inches; W: 9.5 inches).

E45-507. Buck Hill Falls Company, 53 Golf Drive, Buck Hill Falls, PA 18323, in Barrett Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 42-inch HDPE and 15-inch HDPE culvert in a tributary to Buck Hill Creek (HQ-CWF) and to install sewer and water utility lines and to place fill in approximately 0.04 acre of EV Wetlands for the purpose of extending an existing road to provide access to two residential lots. The project is located approximately 525-feet west of the intersection of Partridge Path and Virio Road (Buck Hill Falls, PA Quadrangle N: 12.0 inches; W: 4.8 inches).

E45-514. Rock Tenn Company, Paper Mill Road, Delaware Water Gap, PA 18327, in Smithfield Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain 580 LF of bank stabilization consisting of R-7 riprap, concrete block wall and/or sheet piling along the right bank of the Brodhead Creek (HQ-CWF) and to remove a gravel bar blocking an existing intake pipe. This project is located to the rear of the Rock Tenn Company approximately 600-feet downstream of I-80 along the Brodhead Creek (Stroudsburg, PA Quadrangle N: 22.6 inches; W: 3.18 inches).

E48-387. Allen Township, 4714 Indian Trail Road, Northampton, PA 18067, in Allen Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 12-foot by 6-foot single span, concrete box culvert with its invert depressed 1.0-foot below the existing stream bed elevation, including concrete wingwalls and riprap bank protection, along with 0.025 acre of wetland fill associated with the roadway realignment. This project is located 1,200-feet upstream of the intersection of Short Lane and Atlas Road (Catasauqua, PA Quadrangle N: 12.51 inches; W: 12.55 inches).

E48-391. Watchung Valley Development, LLC, 23 Sutton Road, Lebanon, NJ 08333, in Bethlehem Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a precast, concrete, 3-sided open bottom box culvert having a span of 18-feet and under clearance of 3.5 feet, two trapezoidal shape, grass line stormwater swales and an 18-inch plastic outfall pipe in a tributary to Nancy Run (HQ-CWF). The project is located at the intersection of Easton Avenue and Pembroke Road (Nazareth, PA Quadrangle N: 5.0 inches; W: 5.5 inches).

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

E02-1568. Leonard Stern, P. O. Box 407, Gibsonia, PA 15044. To construct and maintain conspan culvert in West Deer Township, **Allegheny County**, Pittsburgh ACOE District. (Valencia PA Quadrangle, N: 1.6 inches; W: 5.0 inches, Latitude: 40° 38' 2"; Longitude: 79° 54' 38"). The applicant proposes to construct and maintain a 20 foot wide by 5 foot high, and 10 foot long conspan arch culvert over Deer Creek (CWF), a sanitary sewer line crossing under a UNT to Deer Creek (CWF), a sanitary sewer line crossing under Deer Creek, and a water line crossing under Deer Creek, all for a proposed residential development. The project is located on the west side of McIntyre Road, approximately 1 mile north of its intersection with SR 0910.

E04-318. Norfolk Southern Railway Corporation, 110 Franklin Road, SE—Box 13, Roanoke, VA 24042-0013. To construct and maintain steel curtains around

stormwater outfall pipes in Conway Borough, **Beaver County**, Pittsburgh ACOE District (Baden, PA Quadrangle N: 6.5 inches; W: 0.6 inch, Latitude: 40° 39' 38"; Longitude: 80° 14' 41.4"). The applicant proposes to construct and maintain four floating 10 foot long by 14 foot wide steel curtains around stormwater outfall pipes that discharge into the Ohio River (WWF) with the intention to contain the occasional sheens that discharge from the stormwater pipes. The project is located at the Conway Rail Yard.

E26-347. Cynthia A. Robertson, 645-1/2 Grandview Avenue, Pittsburgh, PA 15202. To operate and maintain multiseason, nonresidential structure and deck in Henry Clay Township, **Fayette County**, Pittsburgh, ACOE District (Ohio Pyle, PA Quadrangle N: 2.4 inches; W: 6.0 inches, Latitude: 39° 45' 44.4"; Longitude: 79° 24' 59.8"). The applicant proposes to operate and maintain a new multiseason, nonresidential structure and deck to be used for recreational purposes in floodway of Hall Run. The structure is 14 feet wide by 28 feet long and is built on a trailer frame over concrete blocks located along Ark Hallow Road (T-876).

ENVIRONMENTAL ASSESSMENTS

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

EA32-008. Evergreen Conservancy, P. O. Box 0783, Indiana, PA 15701. To construct and maintain a passive treatment system in Banks Township, **Indiana County**, Baltimore ACOE District (Burnside, PA Quadrangle N: 20.6 inches; W: 13.4 inches, Latitude: 40° 51' 48"; Longitude: 78° 50' 49"). The applicant proposes to construct and maintain a passive treatment system that will impact approximately 0.22 acre of wetland, which is impaired by mine drainage, to improve the quality of water in the South Branch Bear Run (CWF). The project is located in State Game Lands No. 174, along Lochvale Road (SR 1053).

EA56-004. Shade Creek Watershed Association, 314 Central Avenue, Suite 205, Central City, PA 15926. To place limestone sand along several watercourses in Shade Township, **Somerset County**, Pittsburgh ACOE District. The applicant proposes to place approximately 23 or 46 tons of limestone sand annually in and/or along several watercourses within the Dark Shade Creek Watershed, to improve water quality and aquatic life, in the upper portion of this basin, which is affected by acid mine drainage and acid deposition. In the initial year of application, the dosage of limestone sand will be 2 to 3 times greater than the aforementioned dosage, in order to prime the Watershed. There are two Coal Run (CWF) application sites: Swallow Farm private road (Central City, PA Quadrangle: Latitude: 40° 03' 08"; Longitude: 78° 47' 45"); Gahagan Road Bridge (Central City, PA Quadrangle: Latitude: 40° 03' 51"; Longitude: 78° 48' 02"); and one Dark Shade Creek (CWF) site: Cook Road or Tipple Road (Central City, PA Quadrangle: Latitude: 40° 04' 40"; Longitude: 78° 47' 48"). The six remaining application sites are: Shingle Run (CWF)/Game Land Road (Central City, PA Quadrangle Latitude: 40° 04' 56"; Longitude: 78° 46' 10"); Snowden Run (CWF)/Game Land Road (Central City, PA Quadrangle Latitude: 40° 05' 22"; Longitude: 78° 45' 48"); Beaverdam Run (HW-CWF)/Fleegle Road and private road (Schellsburg, PA Quadrangle Latitude: 40° 05' 15"; Longitude: 78° 44' 09"); Berkebile Run (HQ-CWF)/Shaffer Mountain Road and private road (Central City, PA Quadrangle Latitude: 40° 06' 59"; Longitude: 78° 45' 39"); Laurel Run (CWF)/Easy Camp Road and private

road (Central City, PA Quadrangle Latitude: 40° 07' 24"; Longitude: 78° 46' 54"); and Miller Run (CWF)/Custer Road (Central City, PA Quadrangle Latitude: 40° 07' 15"; Longitude: 78° 50' 27").

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

EA04-002CO. Shawn Thomas, 105 Strathmore Court, Mars, PA 16046. Economy Borough, **Beaver County**, ACOE Pittsburgh District.

Project proposes to construct, operate and maintain a nonjurisdictional dam across a tributary to Big Sewickly Creek (TSF) to impound water to provide a geothermal heating and cooling source for a private residence. The proposed dam will be located approximately 2,400 feet northeast of the intersection of Wallrose Heights Road (SR 2006) and Locust Road (Baden, PA Quadrangle; Latitude: 40° 39' 05"; Longitude: 80° 08' 55").

ACTIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0026476 (Major Sewage)	Coaldale-Lansford-Summit Hill Sewer Authority 124 West Ridge Street Lansford, PA 18232-1333	Coaldale Borough Schuylkill County	Panther Creek 03A	N
PA0032328 Sewage Nonmunicipal	Hickory Hills Mobile Home Community, LLC 121 Hickory Hills Drive Bath, PA 18014	Northampton County Moore Township	Tributary to East Branch Monocacy Creek Watershed No. 2C	Y
PA0063592 (Minor Sewage)	Gilberton Borough 2710 Main Street Mahanoy Plane, PA 17949	Gilberton Borough Schuylkill County	Mahanoy Creek 06B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0084018 (SEW)	Stan Custer Custer Group of Companies— Fishing Creek Estates 2805 Old Post Road Suite 200 Harrisburg, PA 17110	Dauphin County Middle Paxton Township	Fishing Creek 7-C	Y
PA0052485 (SEW)	James T. Miller Mountain Springs Camping Resort, Inc. P. O. Box 365 Shartlesville, PA 19554	Berks County Upper Bern Township	UNT Mill Creek 3-C	Y
PA0085065 (IW)	Rachel S. Diamond Regional Director Department of Environmental Protection Southcentral Regional Office 909 Elmerton Avenue Harrisburg, PA 17110	Berks County Cumru Township	Schuylkill River 3-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0092045 Sewage	Fayette Airport Enterprises, LLC 25 Main Street Smithfield, PA 15478	Fayette County Dunbar Township	UNT of Gist Run	Y
PA0093165 Sewage	Claysville-Donegal Joint Municipal Authority P. O. Box 467 Claysville, PA 15323	Washington County Donegal Township	Dutch Fork	Y
PA0204200 Sewage	Joseph T., Jr. and Michele A. Naviglia 1743 Wildlife Lodge Road Lower Burrell, PA 15068	Westmoreland County City of Lower Burrell	UNT to Little Pucketa Creek	Y
PA0217760 Sewage	RoxCoal, Inc. P. O. Box 149 Friedens, PA 15541	Somerset County Stonycreek Township	Reitz Creek	Y
PA0219207 Sewage	Lincoln Township Municipal Authority P. O. Box 162 Sipesville, PA 15561	Somerset County Lincoln Township	Quemahoning Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0038482	Fox Township Sewer Authority 116 Irishtown Road P. O. Box 186 Kersey, PA 15846-0186	Fox Township Elk County	UNT to Daguscahonda Run 17-A	Y
PA0238716	Brett M. and Tricia M. Peterson 11432 Scotland Avenue North East, PA 16428	North East Township Erie County	UNT to Lake Erie 15	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. PA0026450, Sewage, **Bristol Township**, 2501 Bath Road, Bristol, PA 19007. This proposed facility is located in Bristol Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage into the Delaware River Zone 2 in Watershed 2E.

NPDES Permit No. PA0027294, Sewage, **Bristol Borough Water and Sewer Authority**, Pond and Mulberry Streets, Bristol, PA 19007. This proposed facility is located in Bristol Borough, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage to the Otter Creek a tributary to the Delaware River Zone 2 in Watershed 2E.

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

NPDES Permit No. PA 0065196, Sewage, **David and Michael Schnellman**. This proposed facility is located in Upper Milford Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of NPDES Permit.

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

NPDES Permit No. PA0083062, Sewage, **Williams Valley School District**, 10330 SR 209, Tower City, PA 17980-9611. This proposed facility is located in Williams Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to Wiconisco Creek in Watershed 6-C.

NPDES Permit No. PA0087572, Industrial Waste, **Williamstown Borough Authority, Water Treatment Plant**, P. O. Box 32, Williamstown, PA 17098. This proposed facility is located in Williams Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT of Wiconisco Creek in Watershed 6-C.

NPDES Permit No. PA0248266, CAFO, **Steven Hykes**, 1239 Hykes Road, Greencastle, PA 17225. This proposed facility is located in Antrim Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 663-AEU swine operation in Watershed 13-C.

NPDES Permit No. PA0248690, CAFO, **Barry Good**, 1695 Rake Road, Mohrsville, PA 19541. This proposed facility is located in Centre Township, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operated a 524-AEU layer and dairy operation in Watershed 03-C.

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

NPDES Permit No. PA0253511, Industrial Waste, **Rolling Rock Farms**, P. O. Box 717, Ligonier, PA 15658. This proposed facility is located in Ligonier Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for discharge from Rolling Rock Water Treatment Plant.

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

NPDES Permit No. PA0024970, Sewage, **Department of the Army, Pittsburgh District, Corps of Engineers, Williams S. Moorhead Federal Building**, 100 Liberty Avenue, Pittsburgh, PA 15222-4188. This proposed facility is located in Pymatuning Township, **Mercer County**.

Description of Proposed Action/Activity: New permit replacing an expired minor NPDES permit for a treated nonmunicipal sewage discharge.

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. WQG010020, Sewerage, **Judy Schimpf**, 1650 Fels Road, Pennsburg, PA 18073. This proposed facility is located in Milford Township, **Bucks County**.

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

WQM Permit No. WQG02230721, Sewerage, **Thornbury Township**, 6 Township Drive, Cheyney, PA 19319. This proposed facility is located in Thornbury Township, **Delaware County**.

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

WQM Permit No. 1507407, Sewerage, **Simmers Building, Inc.**, 1035 West Lincoln Highway, Coatesville, PA 19320. This proposed facility is located in West Caln Township, **Chester County**.

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

WQM Permit No. 1507408, Sewerage, **Simmers Building, Inc.**, 1035 West Lincoln Highway, Coatesville, PA 19320. This proposed facility is located in West Caln Township, **Chester County**.

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

WQM Permit No. 1507409, Sewerage, **Simmers Building, Inc.**, 1035 West Lincoln Highway, Coatesville, PA 19320. This proposed facility is located in West Caln Township, **Chester County**.

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

WQM Permit No. 0907408, Sewerage, **Franklin Kolp**, 1191 Swamp Road, Furlong, PA 18925. This proposed facility is located in Wrightstown Township, **Bucks County**.

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

WQM Permit No. 0907405, Sewerage, **Gerald Bachinsky**, 3113 Edison Furlong Road, Furlong, PA 18925. This proposed facility is located in Plumstead Township, **Bucks County**.

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

WQM Permit No. WQG02230724, Sewerage, **Delaware County Regional Water Quality Control Authority**, P. O. Box 999, 100 East Fifth Street, Chester, PA 19016. This proposed facility is located in Chester Township, **Delaware County**.

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

WQM Permit No. 4603404, Amendment, Sewerage, **Abington Township**, 1176 Old York Road, Abington, PA 19001-3713. This proposed facility is located in Upper Dublin Township, **Montgomery County**.

Description of Action/Activity: Modifications to existing sewage treatment plant.

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

WQM Permit No. WQG012220, Sewerage, **Barbara and Merrill Murphy**, 622 Creek Road, Bath, PA 18014. This proposed facility is located in Moore Township, **Northampton County**, PA.

Description of Proposed Action/Activity: This project is to replace a malfunctioning onlot sewage system with a small flow treatment system at a single-family residence.

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

WQM Permit No. WQG02210705, Sewage, **Cumberland Franklin Joint Municipal Authority**, 725 Municipal Drive, Shippensburg, PA 17257. This proposed facility is located in Shippensburg/Southampton Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/Operation of a sewer extension and pump station to serve the Deerfield Residential Community.

WQM Permit No. 0707402, Sewage, **David P. Kephart**, R. R. 1, Box 666, East Freedom, PA 16637. This proposed facility is located in East Freedom Township, **Blair County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of a system of piping, septic tank, a dosing tank with pump, sand filter and chlorine tank.

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

WQM Permit No. 1491204-A1, Industrial Waste, SIC 3274, **Graymont PA, Inc.**, 965 East College Avenue, Bellefonte, PA 16823-6823. This proposed facility is located in Spring Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to discharge boiler and cooling blow down waters, treated reverse osmosis and softener wastewaters and stormwater to the groundwater.

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

WQM Permit No. WQG016154, Sewerage, **Joseph A. and Joyce A. Smida**, 845 Chateau Drive, Elwood City, PA 16117. This proposed facility is located in Franklin Township, **Beaver County**.

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

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

WQM Permit No. WQG018572, Sewerage, **Jennifer A. and Scott J. Blum**, 304 Dunns Eddy Road, Youngsville, PA 16371. This proposed facility is located in Conewango Township, **Warren County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

WQM Permit No. WQG018570, Sewerage, **Living Word Christian Center**, 21 South Maysville Road, Greenville, PA 16125. This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

WQM Permit No. WQG018566, Sewerage, **Robert J. and Susan M. Saeli**, 150 Independence Drive, Orchard Park, NY 14127. This proposed facility is located in Otto Township, **McKean County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021306001	Carbon Development, LLC 3701 Perkiomen Avenue Reading, PA 19606	Carbon	Kidder Township	Black Creek HQ-CWF
PAI024806029	J.G. Petrucci Co., Inc. 171 Route 173 Suite 201 Asbury, PA 08802	Northampton	Forks Township	Bushkill Creek HQ-CWF
PAI023907017	Michael Seislove 3261 Route 100 Suite 100 Macungie, PA 18062	Lehigh	Lower Macungie Township	Swabia Creek HQ-CWF Little Lehigh Creek HQ-CWF
PAI024506002	Smithfield Township R. R. 5 Box 5229 East Stroudsburg, PA 18301	Monroe	Smithfield Township	Marsh Creek HQ-CWF
PAI025806002	Powers Stone, Inc. R. R. 5 Box 124 Montrose, PA 18801-9340	Susquehanna	Forest Lake Township	Tributary to Wyalusing Creek CWF
PAS10Q0712R1	Cedar Fair, LP 3830 Dorney Park Road Allentown, PA 18104	Lehigh	South Whitehall Township	Cedar Creek HQ-CWF
PAI0239050161	Diakon Lutheran Social Ministries 798 Hausman Road Suite 300 Allentown, PA 18104-9108	Lehigh	South Whitehall Township	Little Cedar Creek HQ-CWF Little Lehigh Creek HQ-CWF
PAI024506030	Monroe-Pike Land, LLC R. R. 2 Box 2091C East Stroudsburg, PA 18301	Monroe	Stroud Township Pocono Township	Brodhead Creek HQ-CWF
PAI021305005	William Baumgartner R. R. 4 Box 4290 Kunkletown, PA 18058	Carbon	Towamensing Township	Wild Creek HQ-CWF Tributary to Beltzville Lake
PAI024505024	Hanning Development, LLC 200 Plaza Court East Stroudsburg, PA 18301	Monroe	Tobyhanna Township	Tobyhanna Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062507002	Department of Transportation 1-0 255 Elm Street Oil City, PA 16301	Erie	Girard Township	Crooked Creek HQ, CWF, MF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

General Permit Type—PAG-02
Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Williams Township Northampton County	PAG2004807011	Williams Township Attn: Deborah Patterson 655 Cider Press Road Easton, PA 18042	Tributary to Lehigh River CWF	Northampton County Cons. Dist. (610) 746-1971
Whitehall Township Lehigh County	PAG2003907011	Mohamed Riaz Muslim Assoc. of LV 1988 Schadt Avenue Whitehall, PA 18052	Lehigh River CWF	Lehigh County Cons. Dist. (610) 391-9583
Kingston Township Luzerne County	PAG2004007028	Mark Anderson 33 Green Road Shavertown, PA 18708	Green Pond Creek CWF	Luzerne County Cons. Dist. (570) 674-7991
Hanover Township Luzerne County	PAG2004007021	Schiel Development, LLC Attn: Francis Schiel 30 Hanover Street Wilkes-Barre, PA 18702	Solomon's Creek CWF	Luzerne County Cons. Dist. (570) 674-7991
Chambersburg Borough Franklin County	PAG2002807032	Chambersburg Senior High School Rick Vensel 435 Stanley Avenue Chambersburg, PA 17201	Conococheague Creek WWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5
Silver Spring Township Cumberland County	PAG200210605030	David Strong DD & K 3064 Bricker Road Manheim, PA 17545	Trindle Spring Run CWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 (717) 240-7812
Silver Spring Township Cumberland County	PAG2002105030	David Strong DD & K 3064 Bricker Road Manheim, PA 17545	Trindle Spring Run CWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 (717) 240-7812

*Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Receiving
Water/Use**Contact Office &
Phone No.*

Penn Township Cumberland County	PAG2002107034	Wes Ketner 320 South Hanover Street Carlisle, PA 17013	Mount Rock Spring Creek WWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
East Pennsboro Township Cumberland County	PAG2002107045	Szeles Real Estate Development, Inc. A. Richard Szeles 945 East Park Drive Harrisburg, PA 17111	UNT to Conodoguinet Creek WWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 (717) 240-7812
Marion Township Berks County	PAG2000607029	Patrick J. Motley Motley Associates, Inc. 1300 New Holland Road Kenhorst, PA 19607	Tulpehocken Creek TSF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Robeson Township Berks County	PAG2000607039	Walter Greth Greth Development Group P. O. Box 305 Temple, PA 19560	UNT to Indian Corn Creek CWF-WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Spring Township Berks County	PAR10C443R	Alan Kreider 207 Reedy Road Sinking Spring, PA 19608	Cacoosing Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Centre County Taylor Township	PAG20014070071	Mike Sulesky-Liner Borrow Waste Site No. 2 New Enterprise Stone and Lime Co. P. O. Box 77 New Enterprise, PA 16664	Bald Eagle Creek CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Rush Township Philipsburg Borough	PAG2001407013	Philipsburg Borough Council Sanitary Sewer Replacement 4 North Centre Street Philipsburg, PA 16866	Cold Stream CWF Moshannon Creek TSF Onemile Run CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Columbia County Town of Bloomsburg	PAG2001907009	Commonwealth of PA c/o Bloomsburg University 400 East Second Street Bloomsburg, PA 17815	Fishing Creek WWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310 Ext. 102

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Columbia County Locust Township	PAG2001907011	Timothy S. Karr Villager GMAC Real Estate 521 North Derr Street Lewisburg, PA 17837	UNT to Roaring Creek CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310 Ext. 102
Washington County North Strabane Township	PAG2006306005	Cannery Casino Resorts 221 North Rampart Boulevard Las Vegas, NV 89145	Chartiers Creek WWF	Washington County CD (724) 228-6774
Washington County South Franklin and North Franklin Townships	PAG2006307034	Washington County Planning Commission— Department of Aviation 205 A Airport Road Washington, PA 15301	UNT to Chartiers Creek WWF	Washington County CD (724) 228-6774
Butler County Cranberry Township	PAG2001007010	SCI Development Co., Inc. Franklin Crossing P. O. Box 97 Mars, PA 16046	Wolfe Run WWF	Butler Conservation District (724) 284-5270
Butler County Adams Township	PAG2001007013	Project, Mars Alliance Church 407 Church Street Extension Mars, PA 16046 Attn: Joe Holland Christian & Missionary Alliance Church 997 SR 228 Mars, PA 16046	Kaufman Run WWF	Butler Conservation District (724) 284-5270
Butler County Adams Township	PAG2001007020	Ken Thomas The Enclave at Champlain Place 904 Champlain Place Gibsonia, PA 15044	Breakneck Creek WWF	Butler Conservation District (724) 284-5270
Crawford County Vernon Township	PAG2002007007	Department of Transportation 01 255 Elm Street Oil City, PA 16301	Van Horne Creek WWF	Crawford Conservation District (814) 763-5269
Jefferson County Snyder Township	PAG2003307003	Game School North 3R SR 28 Sect. 515 Department of Transportation P. O. Box 429 2550 Oakland Avenue Indiana, PA 15701-0429	Mill Creek CWF	Jefferson Conservation District (814) 849-7463

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Center and Brush Valley Townships Indiana County	PAR406103A1	Evergreen Landfill, Inc. P. O. Box 195 Route 119 North Luciousboro Road Coral, PA 15731	UNT to Laurel Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
McKees Rocks Borough Allegheny County	PAR706119	The Lane Construction Corporation 965 East Main Street Meriden, CT 64500	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Collier Township Allegheny County	PAR706118	The Lane Construction Corporation 965 East Main Street Meriden, CT 64500	Chartiers Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Wilmington Township Lawrence County	PAR158304	Praxair, Inc. 39 Old Ridgebury Road Danbury, CT 06810	UNT to Neshannock Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Moore Township Northampton County	PAG042220	Barbara and Merrill Murphy 622 Creek Road Bath, PA 18014	Hokendauqua Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Bedford County West St. Clair Township	PAG043581	Tracey D. Miller 5890 Courtland Road Alum Bank, PA 15521	Dunning Creek 11-C	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin Township Beaver County	PAG046357	Joseph A. and Joyce A. Smida 845 Chateau Drive Elwood City, PA 16117	UNT of Connoquenessing Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Conewango Township Warren County	PAG049371	Jennifer A. and Scott J. Blum 304 Dunns Eddy Road Youngsville, PA 16371	UNT to Scott Run 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Salem Township Mercer County	PAG049369	Living Word Christian Center 21 South Maysville Road Greenville, PA 16125	UNT to Big Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pinegrove Township Warren County	PAG048856	Todd E. and Dawn E. Venman 2525 Swede Hill Road Russell, PA 16345-1504	Wiltsie Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Salem Township Mercer County	PAG048528	William G. Schellenger, Jr. 43 South Summit Road Greenville, PA 16125	UNT to Booth Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*Facility Location:
Municipality &
County*Otto Township
McKean CountyPermit No.
PAG049365*Applicant Name &
Address*
Robert J. and
Susan M. Saeli
150 Independence Drive
Orchard Park, NY 14127*Receiving
Water/Use*
UNT to Knapp Creek
16-C*Contact Office &
Phone No.*
DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942*General Permit Type—PAG-8 (SSN)**Facility Location &
County/
Municipality*Conemaugh
Township
Indiana County

Permit No.

*Applicant Name &
Address*
Synagro
3239 Route 981
New Alexandria, PA
15670*Site Name &
Location*
Geyer Farm*Contact Office &
Phone No.*
Southwest Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000*General Permit Type—PAG-9**Facility Location:
Municipality &
County*416 Adams Pond
Road
Berlin Township
Wayne CountyPermit No.
PAG092201*Applicant Name &
Address*
RORRE Corporation
416 Adams Pond Road
Honesdale, PA 18431*Site Name &
Location*
Propst Farm
416 Adams Pond Road
Berlin Township
Wayne County*Contact Office &
Phone No.*
DEP—NERO
2 Public Square
Wilkes-Barre, PA
18711-0790
(570) 826-2511*General Permit Type—PAG-12**Facility Location &
Municipality*Lancaster County
Warwick TownshipPermit No.
PAG123541*Applicant Name &
Address*
John M. Hess
502 West Lincoln Avenue
Lititz, PA 17543*Receiving Water/Use*
Lititz Run
WWF*Contact Office &
Phone No.*
DEP—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 0907513 issued to **Aqua Pennsylvania, Inc.**, for installation of the Aries Managed Air System, located in Middletown Township, **Montgomery County**. Type of Facility: PWS. Consulting Engineer: CET Engineering Services, 1240 North Mountain Road, Harrisburg, PA 17112-1788. Permit to Construct issued October 4, 2007.

Permit 4607507 issued to **Eadeh Family Limited Partnership**, for operation of VOC removal system at Mill Hill Seafood, located in Lower Providence Township, **Montgomery County**. Type of Facility: PWS. Consulting Engineer: Ebert Engineering, Inc., P. O. Box 540, 4092 Skippack Pike, Skippack, PA 19474.

Permit 1507503 issued to **Warwick Land Development, Inc.**, for relocation of water storage and disinfection system, located in Warwick Township, **Chester County**. Type of Facility: PWS. Consulting Engineer: The Arrow Group, Inc., 270 Granite Run Drive, Lancaster, PA 17601. Permit to Construct issued October 15, 2007.

Permit 15075033, No. 2307503, Public Water Supply.

Applicant **Warwick Land Development, Inc.**
P. O. Box 608
Reagent Center
Lionville, PA 19353

Township **Warwick**
County **Chester**
Type of Facility **PWS**
Consulting Engineer **The Arro Group, Inc.**
270 Granite Run Drive
Lancaster, PA 17601

Permit to construct Issued **October 15, 2007**

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

Permit No. 3480046, Operations Permit, Public Water Supply.

Applicant **Bethlehem Authority**
10 East Church Street
Bethlehem, PA 18018
Lehigh Township

County **Northampton**
Type of Facility **PWS**
Consulting Engineer **James DeWolfe, P. E.**
Malcolm Pirnie, Inc.
1224 North Atherton Street
State College, PA 16803

Permit to Operate Issued **October 5, 2007**

Permit No. 2400140, Operations Permit, Public Water Supply.

Applicant **Sand Springs Water Company, Inc.**
4511 Falmer Drive
Bethlehem, PA 18020
Butler Township

County **Luzerne**
Type of Facility **PWS**
Consulting Engineer **William Schumacher, Jr., P. E.**
Schumacher Engineering, Inc.
55 North Conahan Drive
Hazleton, PA 18201

Permit to Operate Issued **October 3, 2007**

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

Permit No. 2207507, Public Water Supply.

Applicant **Harman Stove Company**
Municipality **Jackson Township**
County **Dauphin**

Type of Facility **Installation of Arsenic removal treatment.**

Consulting Engineer **Harry E. Bingaman, P. E.**
Glace Assoc., Inc.
3705 Trindle Road
Camp Hill, PA 17011

Permit to Construct Issued **October 16, 2007**

Permit No. 2207508, Public Water Supply.

Applicant **United Water Pennsylvania**
Municipality **Lower Paxton Township**
County **Dauphin**
Type of Facility **Pump replacement at the Colorado booster pump facility.**

Consulting Engineer **Arthur Saunders, P. E.**
United Water Pennsylvania
4211 East Park Circle
Harrisburg, PA 17111

Permit to Construct Issued **October 12, 2007**

Operations Permit issued to **United Water Pennsylvania**, 7220015, Susquehanna Township, **Dauphin County** on October 15, 2007, for the operation of facilities approved under Construction Permit No. 2205508 MA.

Operations Permit issued to **United Water Pennsylvania**, 7220015, Susquehanna Township, **Dauphin County** on October 15, 2007, for the operation of facilities approved under Construction Permit No. 2206503 MA.

Operations Permit issued to **Columbia Water Company**, 7360123, Columbia Borough, **Lancaster County** on October 12, 2007, for the operation of facilities approved under Construction Permit No. 3607503 MA.

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

Permit No. 6507503, Public Water Supply.

Applicant **Latrobe Municipal Authority**
104 Guerrier Road
Latrobe, PA 15650

Borough or Township **Derry Township**
County **Westmoreland**
Type of Facility **Kingston Filtration Plant**
Consulting Engineer **Gibson-Thomas Engineering Co., Inc.**
1004 Ligonier Street
P. O. Box 853
Latrobe, PA 15650

Permit to Construct Issued **October 2, 2007**

Operations Permit issued to **Jackson Township Water Authority**, 2949 William Penn Avenue, Johnstown, PA 15909, (PWSID No. 4110021) **Jackson Township, Cambria County** on September 27, 2007, for the operation of facilities approved under Construction Permit No. 1106504MA.

Operations Permit issued to **Pennsylvania-American Water Company**, 800 Hersheypark Drive, Hershey, PA 17033, (PWSID No. 5320025) **White Town-**

ship, **Indiana County** on September 27, 2007, for the operation of facilities approved under Construction Permit No. 3206501MA.

Operations Permit issued to **Fox Chapel Authority**, 255 Alpha Drive, Pittsburgh, PA 15238, (PWSID No. 5020040) Fox Chapel Borough, **Allegheny County** on September 27, 2007, for the operation of facilities approved under Construction Permit No. 0206503MA.

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

Operations Permit issued to **Timbercrest Property LLC, Timbercrest Apartments and Townhouses**, PWSID No. 6200066, Vernon Township, **Crawford County**. Emergency Operation Permit issued October 12, 2007, for the right to provide bulk water purchased from the Borough of Cambridge Springs (PWSID No. 6200004) by tank truck as an emergency source of supply. The duration of this permit is 60 days, expiring December 3, 2007.

STORMWATER MANAGEMENT

Action on plans submitted under the Stormwater Management Act (32 P. S. §§ 680.1—608.17)

Bureau of Watershed Management, P. O. Box 8555, Harrisburg, PA 17105-8555.

The Maiden Creek Watershed Act 167 Stormwater Management Plan, submitted by **Berks County**, was approved on September 25, 2007. This approval applies to the portion of the watershed within Berks County.

The Sacony Creek Watershed Act 167 Stormwater Management Plan Update, submitted by **Berks County**, was approved on September 25, 2007. This approval applies to the portion of the watershed within Berks County.

The Act 167 Stormwater Management Plan for the portion of the Schuylkill River Watershed, submitted by **Berks County**, was approved on September 25, 2007. This approval applies to the portion of the watershed within Berks County.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted under section 5 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

Borough or Township	Borough or Township Address	County
Silver Spring Township	6475 Carlisle Pike Mechanicsburg, PA 17050	Cumberland

Plan Description: Disapproval of a revision to the Official Sewage Plan of Silver Spring Township, **Cumberland County**. The proposed Sebastian Homes subdivision consists of the conversion of an 0.84 acre nonbuilding lot (Lot 15A) into a residential building lot to be served by an individual onlot sewage disposal system. The plan revision was disapproved because it does not adequately address the long-term sewage disposal needs of the lot, as site suitability testing was not conducted properly.

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

Notice of Proposed Interim Response Macoby Creek HSCA Site, Upper Hanover Township, Montgomery County

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

The Department of Environmental Protection (Department), under the authority of HSCA, has conducted an investigation of the Site at 1400 Spring Valley Road, in Upper Hanover Township, where an electroplating facility operated from the early 1950s until the early 1980s. Records show that the electroplater discharged spent wastewater into two clay-lined lagoons on the property. The Department's investigation included onsite soil sampling, the installation and sampling of 36 monitoring wells and sampling of nearby home wells. Sampling results show Site soils under the plant building, near a loading dock and under two former lagoons to be contaminated with trichloroethylene and cadmium. Water sampling results indicate that the building is also the source of groundwater contamination as well.

To address the release and threat of release of hazardous substances at the Site and corresponding threats to human health and the environment, the Department proposes an Interim Response action at the Site under section 501(a) of HSCA (35 P. S. § 6020.501(a)). The Department is proposing the demolition of the building and excavation and removal of contaminated soils to a designated hazardous waste landfill and/or residual waste landfill. This proposed alternative complies with Applicable, Relevant and Appropriate Requirements (ARARs) and is feasible and cost-effective. Other possible alternatives include no action, in-situ stabilization or ex-situ treatment of the soils.

An Administrative Record, which contains more detailed information concerning this proposed response action, is available for public inspection. The Administrative Record may be examined from 8 a.m. until 4 p.m. at the Department's office at 2 East Main Street, Norristown, PA 19401. Those interested in examining the Administrative Record should contact Project Officer Mark Conaron at (484) 250-5730 to arrange for an appointment. An additional copy of the Administrative Record is available for review at the Upper Hanover Township Administrative Building at 1704 Pillsbury Road, East Greenville, PA 18041.

A public hearing is scheduled under section 506(d) of HSCA (35 P. S. § 6020.506(d)), for November 29, 2007, beginning at 7 p.m. in the Upper Hanover Township Administrative Building, 1704 Pillsbury Road, East Greenville, PA 18041. Anyone who would like to present formal oral comments regarding this interim response may do so by registering before the hearing by calling the Department Community Relations Coordinator, Lynda Rebarchak at (484) 250-5820.

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

Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's proposed interim response action during the period of public comment. In accordance with section 506(c) of HSCA, the Department has established a period for public comment that is now open until close of business on January 25, 2008. Written comments should be addressed to Mark Conaron, Project Officer, Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401. Comments can also be sent by means of email to mconaron@state.pa.us

Anyone with questions regarding this notice should contact Mark Conaron at (484) 250-5730.

**Public Notice of Proposed Consent
Order and Agreement
Department of Environmental Protection
Mays Properties, Inc., Silver Lane Site
Robinson Township, Allegheny County**

Under section 1113 of the Pennsylvania Hazardous Sites Cleanup Act (35 P. S. § 6020.1113) (HSCA), notice is hereby provided that the Department of Environmental Protection (Department) has entered into a Consent Order and Agreement (CO & A) with Aristech Chemical Corporation (Aristech) and Beazer East, Inc. (Beazer) concerning the cleanup of the Mays Properties, Inc., Silver Lane Site (Site).

The Site is approximately 3.3 acres in area and consists of approximately 3.2 acres presently owned by Mays Properties, Inc. (Site Owner), located at 1143 Silver Lane, McKees Rocks, Robinson Township, Allegheny County, PA and a small adjacent area less than .1 acre owned by Showcase Properties, Inc.

Beginning in approximately 1977 and continuing until approximately 1979, Beazer's predecessor, Koppers Company, Inc., contracted with Mays Corporation to remove and dispose of various of its waste streams, including maleic anhydride residue, phthalic anhydride residue and phthalic anhydride benzoic (lights). Aristech's predecessor, USS Chemicals, contracted with Mays Corporation to remove and dispose of various of its waste streams from the USS Chemicals plant located on Neville Island, Allegheny County, PA. These waste streams included maleic anhydride residue, phthalic anhydride residue, phthalic anhydride benzoic and polyester waste.

In 1995, Department investigations disclosed the illegal disposal by Mays Corporation of various waste streams at the Site, including solidified benzoic lights and phthalic anhydride heavy ends the Department believes to have been generated at the Koppers' western PA plants and at USS Chemicals' Neville Island plant.

In 1995, Beazer and Aristech, in cooperation with the Department, removed from the Site and properly disposed of, surficial solidified benzoic lights and phthalic anhydride heavy ends. Following that waste removal, Beazer and Aristech performed a characterization of Site soil and groundwater seeps. Results of the investigation indicated that benzoic acid and naphthalene were present in soils at the Site in elevated concentrations. Other chemicals, including phthalic acid, benzene, phenol, pyrene, arsenic and other metals, as well as other VOCs and semi-VOCs, were present at detectable concentrations in the soil in various areas of the Site. In addition, at that time, two seeps located at the southwestern edge of the Site were sampled and found to have detectable levels of aluminum, suspended solids, benzene, iron, manganese, benzoic acid and phthalic acid.

Subject to the terms of the CO & A, Beazer and Aristech propose to implement a Closure Plan at the Site to resolve their potential liability under HSCA and CERCLA for any past, present or future response costs for releases or potential releases of hazardous substances. The Department has approved the Closure Plan. The Closure Plan includes a schedule for closure activities and calls for, among other things: (a) the excavation and proper disposal of Site waste; (b) the installation of erosion and sediment control facilities; (c) the relocation of a small amount of waste currently on an adjacent property; (d) construction of ditches to convey surface water run-off around the limits of the waste; (e) the placement of soil buttress fills and soil covers; (f) the revegetation of the cover system and other disturbed areas; and (g) the monitoring of seeps and water in stormwater ditches related to the Site.

The specific terms of this settlement are set forth in the CO & A between the Department and Aristech and Beazer. The Department will receive and consider comments relating to the CO & A for 60 days from the date of this Public Notice. The Department has the right to withdraw its consent to the CO & A if the comments concerning the CO & A disclose facts or considerations which indicate that the CO & A is inappropriate, improper, or not in the public interest. After the public comment period, the Department's settlement with Aristech and Beazer shall be effective upon the date that the Department notifies Aristech and Beazer, in writing, that this CO & A is final and effective in its present form and that the Department has filed a response to significant written comments to the CO & A or that no such comments were received.

Copies of the CO & A are available for inspection at the Department's Southwest Regional Office. Comments may be submitted, in writing, to Terry Goodwald, Department of Environmental Protection, Hazardous Sites Cleanup, 400 Waterfront Drive, Pittsburgh, PA 15222. Further information may be obtained by contacting Goodwald at (412) 442-4000. TDD users should contact the Department through the Pennsylvania Relay Services at (800) 645-5984.

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 re-

ports, 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.

Peco Doylestown MGP, Doylestown Borough, **Bucks County**. Bruce Middleman, Jacques Whitford Company, Inc., 450 South Graves Road, Suite 105, Plymouth Meeting, PA 19462, Ben Henry, Peco Energy Company, 2301 Market Street, S9-1, Philadelphia, PA 19101, on behalf of Jack Stein, Keystone Motors, 235 South Main Street, Doylestown, PA 18901, Irv Stein, Keystone Motors, 235 South Main Street, Doylestown, PA 18901 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with leas, inorganics, Pah's and other organics. The report is intended to document remediation of the site to meet the Site-Specific Standards.

WaWa Convenience Store No. 192, Bristol Township, **Bucks County**. Curt Herman, Austin James Associates, Inc., P. O. Box U, Pocono Pines, PA 18350 on behalf of Matt Winters, WaWa, Inc., 260 West Baltimore Pike, WaWa, PA 19603 has submitted a Remedial Investigation and Cleanup Plan concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standards

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

Lehigh County Minor League Ballpark (former Agere South Campus), City of Allentown, **Lehigh County**. Vincent Carbone, P. G., HDR Engineering, Inc., 609 Hamilton Mall, Allentown, PA 18101, has submitted a Final Report (on behalf of his client, LV Red, LLC, 2390 East Camelback Road, Suite 400, Phoenix, AZ 85016), concerning the remediation soils and groundwater found to have been impacted by arsenic, silver, TCE and mercury as a result of the property's historic industrial use. The final report was submitted to document attainment of the Site-Specific Standard, using pathway elimination. A public notice regarding the submission of the final report was published in *The Morning Call* on September 7, 2007.

S & L Plastics, Inc., Upper Nazareth Township, **Northampton County**. Samuel Kucia, Environmental

Consulting, Inc., 500 East Washington Street, Norristown, PA 19401 has submitted a Final Report (on behalf of his client, Nazareth Realty, LLC, 2860 Bath Pike, Nazareth, PA 18064), concerning the remediation of site soils impacted by historical releases of chlorinated solvents. The report was submitted in order to document attainment of the Statewide Health Standard. The intended future use of the site will be nonresidential. A public notice regarding the submission of the final report was published in *The Morning Call* on August 16, 2007.

Bethlehem Commerce Center—Lot 10, City of Bethlehem, **Northampton County**. Kenneth G. Robbins, Project Manager, HDR Engineering, Inc., 609 Hamilton Mall, Allentown, PA 18101 has submitted a Cleanup Plan (on behalf of his client Lehigh Valley Industrial Park, 1805 East Fourth Street, Bethlehem, PA), concerning the remediation of site soil found to have been impacted by inorganics. The Cleanup Plan was submitted in partial fulfillment of the Site-Specific Standard using pathway elimination.

Liberty Property Trust/7277 William Avenue, Allentown City, **Lehigh County**. Vincent Carbone, HDR Engineering, Inc., 609 Hamilton Mall, Allentown, PA 18101-2111 has submitted a Final Report (on behalf of his client, Liberty Property Trust, Lehigh Valley Corporate Center, 1510 Valley Center Parkway, Suite 240, Bethlehem, PA 18017), concerning the remediation soils found to have been impacted by motor oil constituents as a result of damaged oil containers. The report documented attainment of the Statewide Health Standard for soil. A public notice regarding the submission of the final report was published in *The Morning Call* on September 26, 2007.

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

Reading Jewish Community Center, City of Reading, **Berks County**. Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606, on behalf of The Reading Jewish Community Center, 1700 City Line Street, Reading, PA 19604, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from a removed underground storage tank. The report is intended to document remediation of the site to the Statewide Health Standard.

Charles D. Snyder & Son, Inc., City of Harrisburg, **Dauphin County**. BL Companies, Inc., 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of Charles D. Snyder & Son, Inc., P. O. Box 157, Emigsville, PA 17318-0157, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with metals and VOCs. The report is intended to document remediation of the site to the Site-Specific Standard.

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

Robert F. Mitchell Oil Co. (Former), Decatur Township, **Clearfield County**, Marshall Miller & Assoc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011 on behalf of Carl Wright, Wright Philipsburg, LLC, 532 Bryn Mawr Avenue, Swarthmore, PA 19801 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Former Region Oil Gulf, City of Sunbury, **Northumberland County**, Delta Consultants, 5910 Rice Creek Parkway, Suite 100, Shoreview, MN 55126 on behalf of Damark, Inc. Liquidating Trust, 5007 East Mount Wash-

ington, Christiansted, USVI 00820-4265 has submitted a combined Remedial Investigation/Cleanup Plan/Final Report concerning remediation of site soil and groundwater contaminated with BTEX, PHCs, MTBE, cumene and naphthalene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a Site-Specific Standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Glanzmann Subaru, Jenkintown Borough, **Montgomery County**. Karl Pfizenmayer, Strob Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090 on behalf of James Glanzmann, 99 Old York Road, Jenkintown, PA 19046 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 19, 2007.

Ramalho Residence, Lower Merion Township, **Montgomery County**. Lewis Ramalho, 3485 Brae Bourn Drive, Huntingdon Valley, PA 19006 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 26, 2007.

Houdry Laboratory, Lower Chichester Township, **Delaware County**. James Mulry, Mulry and Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 3, Glenmoore, PA 19343 on behalf of Dina Toto, Sunoco, Inc., (R & M) Marcus Hook Refinery, P. O. Box 426, Marcus Hook, PA 19061 has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site soil contaminated with inorganics, solvents and PCB's. The Remedial Investigation Report and Cleanup Plan was approved by the Department of Environmental Protection on September 17, 2007.

US Steel Fairless Works Lot 8, Fall Township, **Bucks County**. Jeffery Smith, Langan Engineering and Env. Svc., Inc., 30 South 17th Street, Suite 1300, Philadelphia, PA 19103 on behalf of Kathleen Mayer, United States Steel Corp., 600 Grant Street, Pittsburgh, PA 15219 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics and chlorinated solvents. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 19, 2007.

WaWa Store, Horsham Township, Horsham Township, **Montgomery County**. Jeff Bruderck, GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Ted Lobst, WaWa, Inc., 260 West Baltimore Pike, WaWa, PA 19063 has submitted a 90-day Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The 90-day Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 27, 2007.

(Revised) Casadoni Homes, Inc., Plumstead Township, **Bucks County**. Andrew Gutshall, EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 17, 2007.

961 Layfield Road Property, New Hanover Township, **Bucks County**. Jason Pero, DeVal Soul & Environmental Consultants, Inc., 4050 Skyrun Drive, Doylestown, PA 18901 on behalf of David Orff, 195 Papermill Road, Barto, PA 19054 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final report demonstrated attainment of the State-

wide Health Standards and was approved by the Department of Environmental Protection on September 27, 2007.

Heartland Express (Village Square Shopping Center), East Goshen Township, **Chester County**. Gilbert Marshall, Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426, David Peck, Haz-Mat Response, Inc., 1203 South Parker, Olathe, KS 66061, Richard Meehan, Heartland Express, Inc., 2777 Heartland Drive, Coralville, IA 52241 on behalf of Edwards McFalls, Hershey's Mill Commercial Holdings, LLC, 1389 East Boot Road, West Chester, PA 19380 has submitted a 90-day Final Report concerning the remediation of site soil contaminated with diesel fuel. The 90-day Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on October 4, 2007.

Heartland Express, Inc. (Caleco), East Goshen Township, **Chester County**. Gilbert Marshall, Marshall Geosciences, Inc., 170 East First Avenue, Collegeville, PA 19426, David Peck, Haz-Mat Response, Inc., 1203 South Parker, Olathe, KS 66061, Richard Meehan, Heartland Express, Inc., 2777 Heartland Drive, Coralville, IA 52241 on behalf of South Wing, South Wing Associates, Airport Road and Wilson Drive, West Chester, PA 19380, Peter Hodson, Coin Automatic Laundry Equipment Company, Airport Road and Wilson Drive, West Chester, PA 19380 has submitted a 90-day Final Report concerning the remediation of site soil contaminated with diesel fuel and fuel oil. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on October 5, 2007.

Charles Lobb Residence, Upper Uwchlan Township, **Chester County**. Richard D. Trimpi, Trimpi Associate, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Merrill Walters, Almerga Environmental, 131 Mt. Pleasant Road, Pottstown, PA 19465 on behalf of Charles Lobb, 8 Highview Road, Downingtown, PA 19335 has submitted a 90-day Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The 90-day Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on October 4, 2007.

Cotton Residence, Upper Southampton Township, **Bucks County**. Richard D. Trimpi, Trimp Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Ralph and Beth Cotton, 1074 Manor Lane, Southampton, PA 18966, Clark Miller, State Farm, P. O. Box 13, Concordville, PA 19331 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on October 11, 2007.

200 North Radnor Chester Road, Radnor Township, **Delaware County**. Thomas Buggey, Roux Associates, Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066 on behalf of Craig Bryson, Radnor Properties—200 RCLP, 55 East Lancaster Pike, Suite 100, Radnor, PA 19087, Mark Olear, Commerce Bancor, Inc., 1701 Route 70 East, Cherry Hill, NJ 08034 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on October 9, 2007.

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

Nancy Espee Residence, Apolaccon Township, **Susquehanna County**. Jim Sposito, James P. Sposito Associates, 11 Archbald Street, Carbondale, PA 18407 has submitted a Final Report (on behalf of his client, Nancy Espee, R. R. 1, Box 1243, Little Meadows, PA 18830), concerning the remediation of soils impacted with No. 2 fuel oil as a result of a pipe line failure with an aboveground fuel oil tank. The report documented attainment of the Statewide Health Standard for soils and was approved on October 2, 2007.

Former BEF Corporation/Keystone Precision Instruments, Hanover Township, **Lehigh County**. Jamie C. Kleinle, Barry Isett & Associates, Inc., 85 South Route 100 and Kessler Lane, P. O. Box 147, Trexlertown, PA 18087-0147 submitted a Final Report (on behalf of his client, Keystone Precision Instruments, 1670 East Race Street, Allentown, PA 18109), concerning the remediation of soils found to have been impacted by silver as a result of the refurbishing process of used photographic minilabs. The report documented attainment of the Residential Statewide Health Standard for soils and was approved on October 12, 2007.

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

Sunbury Textile Mill Inc. Sites 1, 2 and 3, City of Sunbury, **Northumberland County**. Geosyntec Consultants, 130 Research Lane, Suite 2, Guelph, Ontario, Canada N1G 5G3 on behalf of Sunbury Textile Mills, 1200 Miller Street, Sunbury, PA 17801 has submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with chlorinated solvents and petroleum hydrocarbons. The Cleanup Plan was approved on October 11, 2007.

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

International Paper—Dunn Brickyard, City of Erie, **Erie County**. MACTEC Engineering & Consulting, Inc., Carnegie Office Park, Building 4, 700 North Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of the Greater Erie Industrial Development Corporation, 5240 Knowledge Parkway, Erie, PA 16510 has submitted a Cleanup Plan concerning the remediation of site soil contaminated with methane and arsenic. The Cleanup Plan was approved by the Department of Environmental Protection on October 9, 2007.

MUNICIPAL WASTE GENERAL PERMITS

Permits Denied under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

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

General Permit No. WMGM003. American Ash Recycling Corporation of Pennsylvania, 1072 Roosevelt Avenue, York, PA 17402. General Permit Number WMGM003 authorizes processing of municipal incinerator ash using Westinghouse's patented "WES-Phix" process and beneficial use of the processed ash as a construction

material, an ingredient in manufactured products, a bulking agent for sludges and liquid wastes and as embankment material. The application for renewal of General Permit Number WMGM003 was denied by Central Office on October 9, 2007.

Persons interested in reviewing the denial should contact to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of 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.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Pioneer Crossing Landfill Exeter Township, Berks County Permit Number 100346. This is a Major Permit Modification for the operation of Pioneer Crossing Landfill, issued in accordance with Article V of the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003). This modification approves leachate recirculation at Pioneer Crossing Landfill.

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

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

Permit ID No. 300370. Hatfield Power Station Coal Combustion Byproduct Landfill, Allegheny Energy Supply Company, LLC, 800 Cabin Hill Drive, Greensburg, PA 15601. Operation of a residual waste landfill in Monongahela Township, **Greene County.** Permit renewal issued in the Regional Office on October 15, 2007.

AIR QUALITY

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

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

23-329-007GP: Elwyn, Inc. (111 Elwyn Road, Elwyn, PA 19063) on October 2, 2007, to operate a standby generator in Middletown Township, **Delaware County.**

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

40-399-059GP2: Scranton-Altoona Terminals Corp. (675 Suscon Road, Pittston Township, PA 18640) on October 10, 2007, to install an internal floating roof on tank No. 3 at their site in Pittston Township, **Luzerne County.**

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

GP-16-146: Cooltech Hydrocarbon, LLC—Marionville Compressor Station (SR 66, Leeper, PA 16233) on October 12, 2007, for two natural gas fired compressor engines BAQ/GPA/GP-5 in **Clarion County.**

GP-27-037: Seneca Resources Corp.—Muzette B Compressor Station (SR 2007 and State Game Lands No. 24, Vonwinckel, PA 16260) on October 10, 2007, for a natural gas fired compressor engine BAQ/GPA/GP-5 in **Forest County.**

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

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

38-05028B: Curwood Specialty Films, Inc. (5 Keystone Drive, Lebanon Valley Business Park, Lebanon, PA 17042) on October 5, 2007, to modify their existing printing press battery at the flexible packaging printing facility in South Lebanon Township, **Lebanon County.**

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

10-281L: II-VI, Inc. (375 Saxonburg Boulevard, Saxonburg, PA 16056) on October 9, 2007, to modify the hydrogen selenide/hydrogen sulfide emergency scrubber (potassium hydroxide scrubbing solution) installed under plan approval 10-281I in Saxonburg, **Butler County.** The scrubber's two columns will be lengthened so additional packing can be installed and will also be used to control the existing Cold Vault Storage room, the existing Gas Transfer process and future DH process trains. The purpose of the scrubber is to prevent the emission of any accidental leak of hydrogen selenide or hydrogen sulfide.

61-185E: Danco Industries, Inc.—Heath Oil Co. (SR 8, Barkeyville, PA 16038) on October 9, 2007, to modify plan approval 61-185B conditions with regards to the fuels allowed to be burned at this source in **Venango County.**

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

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

46-0029B: Glasgow, Inc. (P. O. Box 1089, Glenside, PA 19038) on October 12, 2007, to operate replace components/upgrades in Montgomery Township, **Montgomery County.**

09-0037F: CMS Gilbreth Packaging Systems, Inc. (3001 State Road, Croydon, PA 19021) on October 10, 2007, to operate a ten unit rotogravure in Bristol Township, **Bucks County**.

15-0077: Hanson Aggregates PA, Inc. (P. O. Box 231, Easton, PA 18044) on October 15, 2007, to operate a crusher in East Caln Township, **Chester County**.

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

30-00099D: Allegheny Energy Supply Co., LLC (800 Cabin Hill Drive, Greensburg, PA 15601) on October 12, 2007, to allow the Department of Environmental Protection time to review the latest stack test reports for the Hatfield Power Station in Monongahela Township, **Greene County**. This plan approval was extended.

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

24-131J: SGL Carbon, LLC (900 Theresia Street, St. Mary's, PA 15857) on September 30, 2007, to construct two reactors in St. Mary's, **Elk County**.

42-158K: TIN, Inc. (149 Temple Drive, Kane, PA 16735) on September 30, 2007, to add the board breaker in Sergeant Township, **McKean County**.

62-162B: Elkhorn Field Services (Zimmerman Hill Road, Warren, PA 16365) on September 29, 2007, to construct a new refrigeration compressor and a larger glycol dehydration system at the Keystone Gas Processing Plant in Pleasant Township, **Warren County**.

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

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

11-00258: Texas Eastern Transmission, LP (224 Texas Road, Lilly, PA 15938-9403) on October 10, 2007, for a Title V Operating Permit Renewal for their Compressor Station that is comprised of four natural gas-fired turbines along with an emergency generator. The Lilly Compressor Station Facility is in Cambria County and is used for production, storage and distribution of natural gas in Cresson Township, **Cambria County**.

04-00086: First Energy Nuclear Gen. Corp. (FENOC-BEV VLY PWR STA, A-BV-A, Route 168, P. O. Box 4, Shippingport, PA 15077-0004) on October 12, 2007, for the facility operating a two-unit nuclear power plant, featuring a close-cycle cooling system that uses two natural draft-cooling tower makeup. The main sources at this facility are four back-up emergency generators with diesel engines, two auxiliary fuel oil boilers, a shot blast unit with integral baghouse along with a booth for contractor touchup work at the facility in Shippingport Borough, **Beaver County**.

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

42-00174: Rustick, LLC (19 Ness Lane, Kane, PA 16735) on October 10, 2007, to re-issue the Title V Permit for their facility in Sergeant Township, **McKean County**. The facility is a municipal waste landfill. The facility's major emission sources include the landfill and a leachate

treatment plant. The facility is Title V because the design parameter is greater than 2.5 millions mega grams or cubic meters.

37-000-023: Orion Power Midwest, LP—New Castle Power Plant (Washington Street, New Castle, PA 16103) on October 10, 2007, applied for modification of the existing Title V Operating permit to include an Acid Rain permit for January 1, 2008, through December 31, 2012, in Taylor Township, **Lawrence County**. The initial Acid Rain permit was issued on December 24, 1997, and revised on January 13, 1999, was reissued on January 23, 2003. The current permit expires on December 31, 2007. Orion Power Midwest, LP—New Castle Power Plant air emission sources are three coal-fired boilers. The facility, because the boilers are listed in Table 2 (Phase II Allowance Allocations) of 40 CFR 73.10, is a Title IV facility and is therefore subject to the Acid Rain requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

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

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

33-00116: PW Hardwood, LLC (P. O. Box 459, Brookville, PA 15825-0459) on October 10, 2007, to issue an administrative amendment of a State-only Operating Permit to incorporate the conditions of Plan Approval 33-116B in Oliver Township, **Jefferson County**.

33-00160: Reynoldsville Casket (P. O. Box 68, Reynoldsville, PA 15851-0068) on October 12, 2007, to issue an administrative amendment of a State-only Operating Permit to incorporate the conditions of Plan Approval 33-160B in Reynoldsville Borough, **Jefferson County**.

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

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

34-05003: Tedd Wood, Inc. (P. O. Box 187, Thompsontown, PA 17094-0187) on October 2, 2007, to remove a 2.7 tpy, VOC emissions restriction from a coating booth at their facility in Delaware Township, **Juniata County**. This State-only operating permit was administratively amended to incorporate Plan Approval 34-05003C. This is revision No. 1.

38-05004: Kountry Kraft, Inc. (P. O. Box 570, Newmanstown, PA 17073-0570) on October 3, 2007, to operate their cabinet manufacturing facility in Millcreek Township, **Lebanon County**. This State-only operating permit was administratively amended to incorporate Plan Approval 38-05004A. This is revision No. 1.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

11050102 and NPDES No. PA0249831. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, transfer of an existing bituminous surface auger mine from Heritage Mining Company, P. O. Box 126, Cresson, PA 16630 located in Adams Township, **Cambria County**, affecting 90.6 acres. Receiving streams: Paint Creek and UNT to Paint Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 15, 2007. Permit issued October 5, 2007.

32070102 and NPDES No. PA0262331. Thomas J. Smith, Inc., 2340 Smith Road, Shelocta, PA 15774 commencement, operation and restoration of a bituminous surface auger mine in Burrell Township, **Indiana County**, affecting 183.3 acres. Receiving streams: UNTs to Toms Run and Toms Run to Conemaugh River and UNTs to Weirs Run to Blacklick Creek to Conemaugh River classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. A variance SR 22—Beginning at a point 1,200 feet west of the common intersection of SRs 22 and 2017 (Palmerton Road) thence continuing easterly along the southern side of SR 22 a distance of 4,800 feet. SR 22—Beginning at a point 1,850 feet east of the common intersection of SRs 22 and 2017 (Palmerton Road), thence continuing easterly along the northern side of SR 22 a distance of 2,050 feet. Application received February 26, 2007. Permit issued October 11, 2007.

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

40813212R4. Scenic Development Corp. (559 East Northampton Street, Wilkes-Barre, PA 18702), renewal of an existing anthracite coal refuse reprocessing operation for reclamation only in Larksville Borough, **Luzerne County** affecting 4.0 acres, receiving stream: none. Application received May 30, 2006. Renewal issued October 10, 2007.

54020101R and NPDES Permit No. PA0224219. Summit Anthracite, Inc. (196 Vista Road, Klingerstown, PA 17941), renewal of an existing anthracite surface mine operation in Porter Township, **Schuyl-**

kill County affecting 300.0 acres, receiving stream: East Branch Rausch Creek. Application received January 17, 2007. Renewal issued October 10, 2007.

Noncoal Permits Actions

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

17070802. Harry D. Killion Trucking and Excavating, 6085 St. Lawrence Road, Coalport, PA 16627. Commencement, operation and restoration of a shale quarry operation in Beccaria Township, **Clearfield County**, affecting 1.0 acre. Receiving stream: UNT to Clearfield Creek. Application received September 28, 2007. Permit issued October 4, 2007.

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

38870301C6 and NPDES Permit No. PA0595543. Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Annville Borough, North Londonderry, North Annville and South Annville Townships, **Lebanon County**, receiving stream: Killinger and Quittaphilla Creeks. Application received October 23, 2006. Renewal issued October 9, 2007.

38870301C7 and NPDES Permit No. PA0595543. Pennsy Supply, Inc., (P. O. Box 3331, Harrisburg, PA 17105), correction to an existing quarry operation to update the NPDES Permit and authorize additional mining area in Annville Borough, North Londonderry, North Annville and South Annville Townships, **Lebanon County**, affecting 1,045.8 acres, receiving stream: Killinger and Quittaphilla Creeks. Application received December 28, 2006. Correction issued October 9, 2007.

48072801. Penn Big Bed Slate Co., (P. O. Box 184, Slatington, PA 18080), commencement, operation and restoration of a quarry operation in Pen Argyl Borough, **Northampton County** affecting 5.0 acres, receiving stream: none. Application received April 12, 2007. Permit issued October 10, 2007.

58072801. Edward Greene III, (R. R. 3, Box 217A3, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation in Great Bend Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received January 25, 2007. Permit issued October 11, 2007.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

01074118. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for single dwelling development in Straban Township, **Adams County**. Blasting activity permit end date is September 27, 2008. Permit issued October 1, 2007.

21074165. M & J Explosives, Inc., P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for residential development in Lower Allen Township, **Cumberland County**. Blasting activity permit end date is September 30, 2008. Permit issued October 1, 2007.

28074149. Geological Tech Inc., P. O. Box 70, Falling Waters, WV 25419-0070, blasting activity permit issued for residential development in Greencastle Borough, **Franklin County**. Blasting activity permit end date is October 27, 2007. Permit issued October 2, 2007.

21074166. R & M Excavation, 403 Hilltop Road, Newburg, PA 17240-9202, blasting activity permit issued for residential development in Shippensburg Township, **Cumberland County**. Blasting activity permit end date is October 1, 2008. Permit issued October 2, 2007.

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

48074002. Genesis Builders, Inc., (758 Main Street, Hellertown, PA 18055) and **Bernard J. Hasara**, (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting at Willshire Villas On The Delaware in the City of Easton, **Northampton County** with an expiration date of February 12, 2008. Permit issued October 9, 2007.

39074127. Austin Powder Company, (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Apple Valley Estates in North Whitehall Township, **Lehigh County** with an expiration date of October 8, 2008. Permit issued October 9, 2007.

40074134. Geological Technologies, Inc., (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Lot 40 in the Humboldt Industrial Park in the City of Hazleton, **Luzerne County** with an expiration date of September 27, 2008. Permit issued October 9, 2007.

40074135. DC Guelich Explosives, Inc., (R. R. 3, Box 125A, Clearfield, PA 16830), construction blasting for the Huber Pit in Hanover Township, **Luzerne County** with an expiration date of September 30, 2008. Permit issued October 9, 2007.

64074111. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for a single dwelling on Reining Road in Berlin Township, **Wayne County** with an expiration date of December 31, 2007. Permit issued October 9, 2007.

40074004. Mazzuca Enterprises, Inc., (P. O. Box 443, 510 North 14th Street, Pottsville, PA 17901) and **Bernard J. Hasara**, (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting for Contract No. 3 Hazle Township Sewer Southside in Hazle Township, **Luzerne County** with an expiration date of March 31, 2008. Permit issued October 11, 2007.

15074121. Dyno-Nobel, Inc., (1320 Galiffa Drive, Donora, PA 15033), construction blasting for Weather Stone in West Vincent Township, **Chester County** with an expiration date of October 30, 2008. Permit issued October 11, 2007.

15074122. KGA Drilling & Blasting, Inc., (1250 Conshohocken Road, Conshohocken, PA 19428), construction blasting for utilities in East Coventry Township, **Chester County** with an expiration date of February 15, 2008. Permit issued October 11, 2007.

35074130. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for road at Lackawanna State Forest in Thornhurst Township,

Lackawanna County with an expiration date of October 5, 2008. Permit issued October 11, 2007.

35074131. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Lorel Estates in Archbald Borough, **Lackawanna County** with an expiration date of October 31, 2008. Permit issued October 11, 2007.

35074132. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Walmart/Lowes in Taylor Borough, **Lackawanna County** with an expiration date of October 6, 2008. Permit issued October 11, 2007.

35074133. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Laurel Estates in Jefferson Township, **Lackawanna County** with an expiration date of October 9, 2008. Permit issued October 11, 2007.

67074146. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Hunter Creek in Conewago Township, **York County** with an expiration date of October 31, 2008. Permit issued October 11, 2007.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E35-410. Lackawanna County, Lackawanna County Courthouse, 200 Adams Avenue, Scranton, PA 18503. Jefferson Township, **Lackawanna County**, United States Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a road crossing of West Branch Wallenpaupack Creek (HQ-CWF) consisting of a 6-foot by 20-foot concrete box culvert, with fish baffles, depressed 1-foot below streambed elevation. The project is located on Spangenberg Lake Road (T-399) approximately 0.4 mile east of SR 2003 (Lake Ariel, PA Quadrangle N: 10.3 inches; W: 13.8 inches). (Subbasin: 01C)

E35-405. Louis Ferrari, 12 Sunset Road, Moscow, PA 18444. Roaring Brook Township, **Lackawanna County**, United States Army Corps of Engineers Baltimore District.

To construct and maintain a 250-foot long driveway crossing through 0.13 acre of EV PFO wetlands within the Roaring Brook Watershed (HQ-CWF). The permittee is required to provide 0.15 acre of replacement wetlands. The project is located adjacent to Pinewood Drive (T-351) approximately 200 feet east of Relda Road (T-357) (Moscow, PA Quadrangle N: 19.9 inches; W: 7.4 inches). (Subbasin: 05A)

E35-408. Mark Clarks Summit North Associates, LP, 580 Third Avenue, Kingston, PA 18704. South Abington Township, **Lackawanna County**, United States Army Corps of Engineers Baltimore District.

To construct and maintain a bridge, having a 32-foot span and a 6-foot underclearance, across Lackawanna Trail Tributary (TSF) for the purpose of providing secondary access to Rite Aid Drug Store. The project is located on the east side of Routes 6 and 11 approximately 0.1 mile north of the Turnpike Northeast Extension Bridge (Scranton, PA Quadrangle N: 20.2 inches; W: 9.3 inches). (Subbasin: 05A)

E48-368. Ron Del Development Company, 3242 Farmersville Road, Bethlehem, PA 18020. Lower Nazareth Township, **Northampton County**, United States Army Corps of Engineers Philadelphia District.

To construct and maintain the following in a tributary to Monocacy Creek (HQ-CWF): 1) an approximate 2,350-foot long channel change generally having a bottom width of 20 feet, a bed slope of 0.3% and 3H:1V side slopes; 2) a road crossing consisting of four 11.5-foot by 3.0-foot reinforced concrete box culverts; and 3) electrical, sanitary sewer and water utility line stream crossings. The work is associated with a proposed 30-lot residential subdivision known as Colt's Run South. The project is located on the south side of T437 (Hecktown Road),

approximately 2,500 feet east of SR 0191 (Nazareth, PA Quadrangle N: 12.3 inches; W: 10.6 inches). (Subbasin: 2C)

E13-146. Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676. East Penn and Mahoning Townships and Perryville Borough, **Carbon County**, United States Army Corps of Engineers Philadelphia District.

To place fill in 0.11 acre of wetlands; to remove the existing I-476 bridge over the Lehigh River (TSF) and Lehigh Canal (CWF) and to construct and maintain two 45-foot wide, 6-span steel girder bridges over the Lehigh River and Lehigh Canal having underclearances exceeding 100 feet and spans totaling 1,585 feet (Northbound I-476 Bridge) and 1,530 feet (Southbound I-476 Bridge); to remove the existing I-476 bridge over Pohopoco Creek (CWF) and to construct and maintain two 45-foot wide, four-span steel girder bridges over Pohopoco Creek each having underclearances exceeding 100 feet and spans totaling 1,020 feet (Northbound I-476 Bridge and Southbound I-476 Bridge); to extend an existing 7-foot wide by 6-foot high stream enclosure for a UNT to the Lehigh River; and to remove the existing structure and to construct and maintain an open-bottom concrete arch culvert having a span of 12 feet and unclearance of 5 feet across a UNT to the Lehigh River (Lehighon, PA Quadrangle N: 12.0 inches; W: 7.0 inches).

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

E44-131. Genevieve McCardle, 12007 Ferguson Valley Road, Lewistown, PA 17044 in Granville Township, **Mifflin County**, ACOE Baltimore District.

To construct and maintain a 14.0-foot wide single span bridge having a clear span of 30.0 feet and an underclearance of 4.5 feet across Buck Run (TSF). The project is located off Route 22/322 at Burnham/Yeagertown exit, 2.5 miles south on SR 4013 (Ferguson Valley Road) towards Jack Mountain (Lewistown, PA Quadrangle N: 20.06 inches; W: 15.81 inches, Latitude: 40° 36' 37.6"; Longitude: 77° 36' 50") in Granville Township, Mifflin County.

E67-833. City of York, 1 Marketway West, 3rd Floor, York, PA 17401, City of York, **York County**, ACOE Baltimore District.

To construct and maintain an access platform ramp and steps in the existing boat basin along Codorus Creek (WWF) for the purpose of improving recreational opportunities and public access to the creek. The project will impact 180 lineal feet of Codorus Creek along its western bank. The project is located between Philadelphia Street and Clark Avenue (York, PA Quadrangle N: 4.5 inches; W: 5.75 inches, Latitude: 39° 57' 42"; Longitude: 76° 43' 59") in the City of York, York County.

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

E67-820. Mike Eden, Eden Properties, LLC, 157 East Main Street, New Freedom, PA 17349, New Freedom Borough, **York County**, ACOE Baltimore District

To construct and maintain an 18" HDPE stormwater outfall pipe with a riprap rock apron that discharges to a UNT to the South Branch Codorus Creek (WWF), (2) to fill two wetlands for the construction of a building and parking area. The wetland impacts are associated with a UNT to the South Branch Codorus Creek (WWF) permanently impacting 0.012 acre (121 ft² and 414 ft²) of PEM

wetland. The project is located at the northwest corner of the intersection of Constitution Avenue (SR 0851) and Pleasant Avenue (T-428) (New Freedom, PA Quadrangle N: 21.6 inches; W: 9.8 inches, Latitude: 39° 44' 36"; Longitude: 76° 41' 52") in New Freedom Borough, York County. The wetland impact is considered diminimis and no mitigation is required.

E22-517: Anthony Leo, Sunnyhill Homes, Inc., 6291 Lyters Lane, Harrisburg, PA 17111, Lower Paxton Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a 140-foot long, 6.0-foot CMP stream crossing in a UNT to Beaver Creek (WWF) (Latitude: 40° 16' 35.4"; Longitude: 76° 46' 31.8"), a 160.0-foot long, 7.0-foot CMP stream crossing in a UNT to Beaver Creek (WWF) (Latitude: 40° 16' 35.46"; Longitude: 76° 46' 40.86") and to permanently impact 0.243 acre of palustrine emergent wetlands associated to a UNT to Beaver Creek (WWF) at the southwest intersection of Lyters Lane and 67th Street (Harrisburg East, PA Quadrangle N: 5 inches; W: 3.5 inches, Latitude: 40° 16.640' N; Longitude: 76° 46.595' W) in Lower Paxton Township, Dauphin County. Applicant proposes 0.245 acre of onsite wetland mitigation.

E67-830: Wrightsville Municipal Sewer Authority, Benjamin Baltzer, P. O. Box 187, Wrightsville, PA 17368, Wrightsville Borough, **York County**, ACOE Baltimore District.

To convert an existing contact stabilization tank to an aerobic digester then construct and maintain two Sequencing Batch Reactor tanks, a post-equalization tank, a pumping station and an ultraviolet disinfection system all within the floodplain of the Susquehanna River (WWF) at a point south of Front Street (Columbia West, PA Quadrangle N: 3.6 inches; W: 3.1 inches, Latitude: 40° 1' 17"; Longitude: 76° 31' 26") in Wrightsville Borough, York County, ACOE Baltimore District.

E06-627: Reading Regional Airport Authority, Terry Sroka, 2501 Bernville Road, Reading, PA 19605, Bern Township, **Berks County**, ACOE Philadelphia District.

To construct and maintain a 300.0-foot long, 72.0-inch diameter reinforced concrete culvert pipe in a UNT to the Schuylkill River (CWF) and to construct and maintain a 15.0-foot wide, 345-foot long vegetated channel located next to the proposed pipe, for the purpose of conveying stormwater to and controlling overflow from the Schuylkill River (CWF), all for the purpose of relocating an existing Township Road, Leisz Bridge Road (T-938), to allow for a runway expansion (Temple, PA Quadrangle N: 2.2 inches; W: 10.5 inches, Latitude: 40° 23' 8.7"; Longitude: 75° 57' 56.4") in Bern Township, Berks County.

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

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

Operate and maintain 1.2 acres of fill in the floodway. The fill consists of a concrete loading area and a small portion of the warehouse building. The permit also authorizes the construction, operation and maintenance of a stream bank-regrading project on Spring Run. The project consists of laying the banks back to a slope of 2:1 for 225 linear feet downstream of Matthew Street to the terminal point at the railroad crossing. The banks of Spring Run shall be lined with R-5 riprap and all additional disturbed area shall be permanently stabilized with seed and mulch. Spring Run is designated as a WWF and no wetland impacts are authorized with this permit. This project is located one block north on Matthew Street from the intersection with Eighth Street in the Borough of Watsontown, Northumberland County. This permit also includes 401 Water Quality Certification.

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

E1414-001, Boggs Township, Centre County, 1270 Runville Road, Bellefonte, PA 16823. Wallace Run Stream Rehabilitation Project, Boggs Township, **Centre County** (Bellefonte, PA Quadrangle N: 13.78 inches; W: 11.30 inches), ACOE Baltimore District.

The project would consist of restoration of approximately 650 feet of the Wallace Run stream channel beginning just downstream of a concrete block wall and ending at the existing riprap downstream of 710 Runville Road, Bellefonte, PA. Work will consist of channel grading and realignment, installation of rock structures within the channel, seeding and plantings.

DAM SAFETY

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

D20-068. Department of Corrections, P. O. Box 598, Camp Hill, PA. To modify, operate and maintain Cambridge Springs Dam across a tributary to French Creek (WWF), for the purpose of meeting dam safety requirements. Modifications include the construction of a new spillway, raising the dam 6 inches and lowering normal pool 11 inches (Cambridge Springs, PA Quadrangle N: 7.8 inches; W: 7.3 inches) in Cambridge Township, **Crawford County**.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
07-09-006	Basic Chemical Solutions, LLC 5 Steel Road East Morrisville, PA 19067 Attn: Robert DePascale	Bucks	Falls Township	1 AST storing Sulfuric Acid	35,000 gallons

SPECIAL NOTICES

Southcentral Regional Office: Regional Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4802.

Application No. PAI-0307-06-001, Wal-Mart Real Estate Business Trust, 2001 SE 10th Street, Bentonville, AR 72712.

Wal-Mart Real Estate Business Trust has submitted an application for an Individual National Pollutant Discharge Elimination System (NPDES) permit for a proposed Wal-Mart Supercenter retail building located northwest of the intersection of Pleasant Valley Road (US Bus 220) and Sabbath Rest Road (SR 4018) in Antis Township, Blair County. The proposed development will be situated near Sandy Run, which is classified as a HQ-WTS and adjacent Exceptional Value (EV) wetlands.

The Department of Environmental Protection (Department) has conducted administrative and initial technical reviews of the application. The project has been developed to a point in which a final technical review can be completed in conjunction with comments received from the public.

The Department has scheduled a public hearing to receive testimony and comments on the proposed NPDES permit. The hearing will be held on Tuesday, December 4, 2007, between 6 p.m. and 8 p.m. at the Antis Township Municipal Building, 909 North 2nd Street, Bellwood, PA 16617.

Persons intending to testify at the hearing should register by Thursday, November 29, 2007, by calling Christina Homer at (717) 705-4703. Persons wishing to submit testimony, but cannot attend the hearing, may do so in writing by Tuesday, December 11, 2007. Written comments should be sent to Ramez Ziadeh, Chief, Permitting and Technical Services Section, Watershed Management Program, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. If the Department does not receive any testimony registration requests by Thursday, November 29, 2007, the public hearing will be cancelled.

All testimony should be to the point. Each individual will have up to 10 minutes for his/her presentation. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the proceedings.

The permit application is on file at Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg,

PA 17110-8200. An appointment to review the file may be scheduled by calling the file room at (717) 705-4732 between the hours of 8 a.m. and 4 p.m., Monday through Friday.

Comments received will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

Following the 30-day comment period and careful review of all comments received, the Watershed Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

BUREAU OF MINE SAFETY

Request for Variance

The Department of Environmental Protection (Department), Bureau of Mine Safety, has received a request for variance from Rosebud Mining Company. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Cathy Dunn by calling (724) 439-7469 or from the BMS website at www.depweb.state.pa.us/deepminesafety/site/default.asp.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. Comments should be addressed to: Joseph A. Scaffoni, Director, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (act) (53 P. S. § 701-702), provides a mechanism for operators to obtain variances from specific requirements of the Act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 290(d) of the act (53 P. S. § 701-290(d)) states that every gassy mine shall have at least four main entries, two of which shall lead from the main opening and two from the second opening into the body of the mine.

Summary of the Request: Rosebud Mining Company requests a variance to reduce the number of main entries in the 2nd Northwest Mains at the Keystone East Mine.

Request for Variance

The Department of Environmental Protection (Department), Bureau of Mine Safety, has received a request for variance from Rosebud Mining Company. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Cathy Dunn by calling (724) 439-7469 or from the BMS web site at www.depweb.state.pa.us/deepminesafety/site/default.asp.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to: Joseph A. Scaffoni, Director, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (act) (53 P. S. § 701-702), provides a mechanism for operators to obtain variances from specific requirements of the Act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 290(d) of the act (53 P.S. § 701-290(d)) states that every gassy mine shall have at least four main entries, two of which shall lead from the main opening and two from the second opening into the body of the mine.

Summary of the Request: Rosebud Mining Company requests a variance to reduce the number of main entries in the 2nd Northwest Mains at the Tracy Lynne Mine.

[Pa.B. Doc. No. 07-1992. Filed for public inspection October 26, 2007, 9:00 a.m.]

Beneficial Use of Alternative Fuels for Circulating and Bubbling Fluidized Bed Boilers and Pulverized Coal-Fired Boilers; Notice of Issuance; General Permit WMGR116

Under the regulatory authority of 25 Pa. Code §§ 287.611 and 271.811 (relating to authorization for general permit) of the residual and municipal waste regulations and the statutory authority of the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Department of Environmental Protection (Department) has issued a general permit for the beneficial use of alternative fuels at circulating and bubbling fluidized bed boilers and pulverized coal-fired boilers.

This general permit authorizes the beneficial use of petroleum coke, wood and paper and wood industry wastes (except for Chromated Copper Arsenate (CCA) or Pentachlorophenol (PCP) pressured-treated and lead-based painted wood), agricultural plant/animal waste, nonhazardous coal tar and oil-contaminated waste, high carbon coal fly ash, tire-derived fuel (chipped or whole waste tires), biosolids and waste asphalt shingles as alternative fuels. The general permit also authorizes the beneficial use of the resulting ash.

Persons interested in obtaining more information or a paper copy of General Permit WMGR116 should contact the Bureau of Waste Management, Division of Municipal and Residual Waste, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through

the Pennsylvania Relay Service at (800) 654-5984. The General Permit WMGR116 document is also accessible on the Department's website at www.depweb.state.pa.us (DEP Keyword: Residual Waste; then choose General Permits; then choose List of Residual Waste Beneficial Use General Permits).

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1993. Filed for public inspection October 26, 2007, 9:00 a.m.]

Mining and Reclamation Advisory Board; Special Meeting

The Mining and Reclamation Advisory Board (Board) will hold a special meeting on Thursday, November 29, 2007, from 10 a.m. to 3 p.m. in the Delaware Conference Room on the 16th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The purpose of the meeting is for the Department of Environmental Protection (Department) to seek advice regarding the remnants of the former Alternate Bonding System in the context of a recent court decision and the Reclamation Fee/Bonding Rulemaking. This special meeting was requested by the Board's Regulation, Legislation and Technical Subcommittee at their meeting held on October 12, 2007.

Questions concerning the special meeting can be directed to James Charowsky at (717) 787-7007 or jcharowsky@state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on the Department's website at www.depweb.state.pa.us (DEP Keywords: Public Participation, Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact James Charowsky at (717) 787-7007 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1994. Filed for public inspection October 26, 2007, 9:00 a.m.]

Proposed General Plan Approval for Pharmaceutical and Specialty Chemical Production (BAQ-GPA-24)

The Department of Environmental Protection (Department) proposes to issue the following General Plan Approval for Pharmaceutical and Specialty Chemical production (Pharm/Chem General Plan Approval) which contains predetermined Best Available Technology (BAT) and other regulatory requirements: BAQ-GPA-24 (Pharmaceutical and Specialty Chemical Production).

This Pharm/Chem General Plan Approval is designed to be used as a plan approval for regulated facilities that construct sources or modify sources to produce and/or handle pharmaceutical and/or specialty chemical products that result in an increase in emissions of Volatile Organic Compounds (VOCs) and/or Hazardous Air Pollutants

(HAPs), the emission of a HAP not previously emitted or a change in HAP emission release characteristics. This Pharm/Chem General Plan Approval does not allow the installation of new air pollution control devices, except for vent condensers. Use of this Pharm/Chem General Plan Approval is limited to Title V permitted facilities that produce or handle pharmaceutical or specialty chemical products and which have a previously established Plantwide Applicability Limit (PAL) for VOC emissions.

Pharmaceutical and Specialty Chemical Processes, for the purpose of this Pharm/Chem General Plan Approval, are limited to those processes classified under SIC codes 2833—2844 and 2879.

The proposed Pharm/Chem General Plan Approval contains conditions that prescribe applicability, emissions, compliance, notification, monitoring, recordkeeping and reporting and administrative requirements.

Prior to initiating construction or modification using this Pharm/Chem General Plan Approval, the owner or operator of a pharmaceutical and/or specialty chemical production facility must submit an application form provided by the Department.

Title V facilities may use this Pharm/Chem General Plan Approval as a plan approval only when new source review (25 Pa. Code Chapter 127, Subchapter E) and prevention of significant deterioration review requirements (25 Pa. Code Chapter 127, Subchapter D) are not applicable. This Pharm/Chem General Plan Approval cannot be used for a plan approval that will cause a Title V facility to exceed its established VOC PAL under the Title V permit.

The proposed Pharm/Chem General Plan Approval establishes the following restrictions for pharmaceutical and/or specialty chemical production facilities:

The Best Available Technology (BAT) requirement under primary operating scenarios would be the use of an existing appropriately designed combustion control device such as a Thermal Oxidizing Unit for control of combustible VOCs and HAPs that would be followed by an existing appropriately designed scrubber for control of acid gases. The combustion control device must achieve 99.9% destruction and removal efficiency for VOCs and HAPs and 99.99% for methylene chloride. Scrubbers associated with a combustion control device must meet an overall halogen and hydrogen halide removal efficiency of at least 99%.

Under secondary operating scenarios like during unplanned combustion control device outages and/or scrubber malfunctions, an alternative operating scenario using a vent condenser meeting 25 Pa. Code § 129.68 (relating to manufacture of synthesized pharmaceutical products) may be employed to complete the processing of batches or material currently in process to the next stable process hold point. However, no new batches may be charged, or processing initiated without using a properly operating combustion control device and scrubber.

In addition to meeting the standards for National emission standards for hazardous air pollutants (NESHAP), namely, 40 CFR Part 63, Subpart GGG, MMM, PPP and FFFF, we are proposing special risk assessment requirements in this Pharm/Chem General Plan Approval that would require the permittee to assess and limit risk and hazards associated with HAP emissions towards human health each time a process change is initiated.

Under special risk assessment requirements the permittee shall submit a list of HAPs to be permitted under

this Pharm/Chem General Plan Approval detailing the maximum annual mass quantity of each new HAP and/or increase in existing HAPs to be used along with a human health risk assessment. The risk assessment must include an air impact modeling analysis of each HAP. The air impact modeling analysis provides estimates of maximum short-term and long-term ambient air concentrations used to determine the potential for adverse human health effects from inhalation. An air dispersion modeling protocol that describes the selection of the air dispersion model, the actual site conditions and source parameters, and the proposed methods for modeling must be submitted for review and approval by the Department prior to use of this General Plan Approval for the permitting of a new or increased HAP. The approval will remain in effect as long as the parameters of the protocol remain unchanged. The risk assessment for approval of new HAP compounds will make use of the acute and chronic endpoint criterion described in the GP. The results of the approved risk assessment shall be submitted to the Department with the General Plan Approval application.

Each time new construction or a process change is made such that the quantity of existing HAPs released increases above the previously submitted maximum annual mass quantity or a new HAP is emitted, a new ambient air impact analysis must be performed on each HAP, and submitted to the Department along with the General Plan Approval application and fee to demonstrate that the ambient air concentrations do not exceed the appropriate endpoint criterion.

Within 180 days of receiving Department approval to use this Pharm/Chem General Plan Approval, performance testing of the combustion control device and associated scrubber shall be performed when a process change causes an increase in emission loading to the existing air pollution control devices. Stack testing shall be performed to verify that the new or increased VOC and/or HAP loading to the existing control system will result in the destruction or removal efficiency required. Also, parameters such as oxidizer temperature, scrubber flow rate and pH shall be verified to be adequate at the new or increased VOC and/or HAP loading.

The authorization to use the Pharm/Chem General Plan Approval will be valid for a period of 18 months after the issue date. If the construction, modification or installation is not commenced within 18 months of the issuance of authorization, or if there is more than an 18-month lapse in construction, modification or installation, a new Pharm/Chem General Plan Approval Application and fee shall be submitted.

This Pharm/Chem General Plan Approval establishes the following fees:

- a. Plan approval application fee: \$1,000

A new authorization and permit fee as indicated previously is required each time the permittee makes a process change that requires construction or modification of sources or use of new HAPs or a change in HAP emissions release characteristics that would affect the ambient air impact analysis required in condition 13.

- b. Plan approval extension fee: \$300

Interested parties are encouraged to obtain and review a complete copy of this proposed Pharm/Chem General Plan Approval by contacting Jeanette Van Skike, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. TDD users should contact the Department through the AT&T Relay Service (800)

654-5984. Internet users can access a copy of the Pharm/Chem General Plan Approval at www.depweb.state.pa.us (DEP Keyword: Air Quality Home).

The Department invites written comments on the proposed Pharm/Chem General Plan Approval. Notice and opportunity for comment will also be provided to the United States, Environmental Protection Agency and the States of Delaware, Maryland, New Jersey, New York, Ohio, Virginia and West Virginia. Interested persons may submit written comments, suggestions or objections to Virendra Trivedi, Environmental Engineer Manager, New Source Review Section, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468. The Department will also consider written requests that a public hearing be held concerning this proposed Pharm/Chem General Plan Approval. Written public comments must be submitted to the Department by December 26, 2007. Comments received by facsimile will not be accepted.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1995. Filed for public inspection October 26, 2007, 9:00 a.m.]

Small Water Systems Technical Assistance Center Advisory Board Meeting

The Small Water Systems Technical Assistance Center Advisory Board (Board) has scheduled two supplemental meetings, in addition to the regularly scheduled quarterly Board meeting of November 15, 2007. The two supplemental meetings will be held from 10 a.m. to 3 p.m. on Thursday, November 1, 2007, and Thursday, December 13, 2007, in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning these meetings should be directed to Ray Braun at (717) 772-2186 or rbraun@state.pa.us. The agenda and meeting materials for these meetings will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: Public Participation, Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department at (717) 772-2186 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. 07-1996. Filed for public inspection October 26, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Evangelical Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that Evangelical Community Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 5.4.1.2(2) (relating to patient prep and recovery).

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

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

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

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

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

[Pa.B. Doc. No. 07-1997. Filed for public inspection October 26, 2007, 9:00 a.m.]

Application of The Williamsport Hospital and Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Williamsport Hospital and Medical Center has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

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

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

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

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

[Pa.B. Doc. No. 07-1998. Filed for public inspection October 26, 2007, 9:00 a.m.]

Applications for Exception to 28 Pa. Code § 569.35

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirement of 28 Pa. Code § 569.35 (relating to general safety precautions).

Fairgrounds Surgical Center
Susquehanna Surgery Center, Inc.

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

The facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

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

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

[Pa.B. Doc. No. 07-1999. Filed for public inspection October 26, 2007, 9:00 a.m.]

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV, Subparts B—G.

Section 51.33(d) provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from June, 2007 through September, 2007. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception requests and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals and ambulatory surgical facilities shall be addressed to the Division of Acute and Ambulatory Care, Susan Legros, Acting Director, Room 532, Health and Welfare Building, Harrisburg, PA 17120. Inquiries regarding long-term care facilities shall be addressed to the Division of Nursing Care Facilities, William Bordner, Director, Room 528, Health and Welfare Building, Harrisburg, PA 17120. Those persons requiring special assistance for speech and/or hearing impairment should call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

Hospitals

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Community Medical Center	28 Pa. Code § 51.3c	notification	07/21/07	granted
Eastern Regional Medical Center	28 Pa. Code § 51.23	PET scanning	07/21/07	granted
Montgomery County Advanced Medical Imaging	28 Pa. Code § 51.23	PET scanning	08/18/07	granted
Grove City Medical Center	28 Pa. Code § 51.23	PET scanning	08/18/07	granted
Pinnacle Health Hospitals	28 Pa. Code § 51.23	PET scanning	08/18/07	granted
Memorial Hospital of York	28 Pa. Code § 101.191	multiple facilities	09/01/07	denied
UPMC Northwest	28 Pa. Code § 103.4(3)	functions	06/23/07	withdrawn
The Surgical Specialty Center at Coordinated Health	28 Pa. Code § 107.2	medical staff membership—podiatrists	09/01/07	granted
Excelsa Health—Westmoreland	28 Pa. Code §§ 107.11 and 146.1a	medical staff bylaws, rules and regulations, infection control	08/18/07	granted
Excelsa Health—Frick	28 Pa. Code §§ 107.11 and 146.1a	medical staff bylaws, rules and regulations, infection control	08/18/07	granted
Excelsa Health—Latrobe	28 Pa. Code §§ 107.11 and 146.1a	medical staff bylaws, rules and regulations, infection control	08/18/07	granted
Millcreek Community Hospital	28 Pa. Code § 107.25(8)	medical staff executive committee	09/15/07	denied
UPMC Northwest	28 Pa. Code § 107.26	additional committees	06/23/07	not needed
Warren General	28 Pa. Code § 107.61	written orders	06/02/07	denied

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
UPMC Northwest	28 Pa. Code § 107.61	orders for medications/treatment	08/18/07	denied
Millcreek Community Hospital	28 Pa. Code § 117.30(1)	emergency paramedic services	06/23/07	granted
Mercy Hospital of Pittsburgh	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	03/31/07	granted
Altoona Regional Health System	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	05/19/07	granted
Aliquippa Community Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	07/07/07	granted
Somerset Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	07/07/07	granted
Pottstown Memorial Medical Center	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	07/07/07	granted
Nason Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	07/07/07	granted
UPMC St. Margaret	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	07/07/07	granted
Albert Einstein Healthcare Network	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	07/21/07	granted
Jameson Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	07/28/07	granted
UPMC Presbyterian Shadyside	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	08/04/07	granted
Bloomsburg Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	08/04/07	granted
Penn State Hershey Medical Center	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	08/04/07	granted
Alle-Kiski Medical Center	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	08/04/07	granted
Edgewood Surgical Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	08/18/07	granted
Ohio Valley General Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	08/18/07	granted
St. Luke's Miners Memorial Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	08/18/07	granted
Chestnut Hill Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	09/01/07	granted
Main Line Hospital—Paoli	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	08/25/07	granted
Phoenixville Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	09/08/07	granted
Bradford Regional Medical Center	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	09/08/07	granted
York Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	09/08/07	granted
Divine Providence Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	09/08/07	granted
Doylestown Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	09/29/07	granted
Sharon Regional Health System	28 Pa. Code § 127.32	diagnostic orders—chiropractors and other MDs not on staff	8/18/07	denied
Lower Bucks Hospital	28 Pa. Code § 138.1	cardiac catheterizations only in a hospital	08/18/07	granted
UPMC Horizon	28 Pa. Code § 138.2	definition of cardiac catheterization area	09/01/07	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Sacred Heart Hospital	28 Pa. Code § 138.15	high-risk cardiac catheterization—open heart program	08/18/07	withdrawn
Riddle Memorial Hospital	28 Pa. Code § 138.18(b)	EPS studies	08/18/07	granted
Albert Einstein Healthcare Network	28 Pa. Code § 139.12(a)	perinatal guidelines	08/18/07	granted
Armstrong County Memorial Hospital	28 Pa. Code § 153.1	7.10.H1 cardiac catheterization laboratory	01/20/07	granted
St. Clair Memorial Hospital	28 Pa. Code § 153.1	5.1.3.7(1)(b); 5.1.3.7(b); 5.1.3.7(1)(a); 5.1.3.7(1)(c)	04/14/07	granted
Pinnacle Health Hospitals—Harrisburg	28 Pa. Code § 153.1	5.7.3.1; 5.7.3.2	05/05/07	granted
DuBois Regional Medical Center	28 Pa. Code § 153.1	2.1.3.1 treatment room square footage	05/12/07	granted
Bradford Regional Medical Center	28 Pa. Code § 153.1	7.10HI / now 5.4.1.1	06/02/07	granted
Community Medical Center	28 Pa. Code § 153.1	3.4.2.1 patient care areas	06/02/07	granted
Western Pennsylvania Hospital—Forbes Regional	28 Pa. Code § 153.1	7.8A3 sterilizing facilities	06/02/07	granted
Penn State Hershey Rehabilitation	28 Pa. Code § 153.1	2.4—2.1.1.2 patient rooms; 2.4—3.1.1 dining/recreation; 2.4—2.1.5.1(1) showers/tub room	05/26/07	granted
Titusville Area Hospital	28 Pa. Code § 153.1	3.12—2.1.1.1 hand washing	07/21/07	denied
Punxsutawney Area Hospital	28 Pa. Code § 153.1	2.1.3.1 sq footage of treatment rooms	07/21/07	granted
Moses Taylor Hospital	28 Pa. Code § 153.1	4.4.7.1 (table 2.1.5) medical gas outlets; 10.2.1.1 (2.1.3) air filtration; 3.1.1.5 hand washing	07/21/07	granted
Albert Einstein Healthcare Network	28 Pa. Code § 153.1	2.1—4.2.3.1 exam room and 4.2.3.2 toilet room	08/18/07	granted
Good Samaritan Hospital	28 Pa. Code § 153.1	2.3.2.2 patient holding	08/18/07	granted
Jameson Memorial Hospital	28 Pa. Code § 153.1	3.2.1.2 equipment; 5.6.1 housekeeping room; 2.1.3.10 soiled workroom; 2.1.1.7(1) pt wardrobe	08/18/07	granted
Jameson Memorial Hospital	28 Pa. Code § 153.1	2.1.1.6 toilet room; 2.1.15 hand wash stations	08/18/07	granted
Select Specialty Hospital—Central Pennsylvania	28 Pa. Code § 153.1	9.2.3.1 elevator size	08/18/07	granted
Troy Community Hospital	28 Pa. Code § 153.1	2.1—5.3.3.3(1) Phase II recovery	08/18/07	denied
St. Luke's Hospital	28 Pa. Code § 153.1	5.1.2.5(2) treatment room	09/08/07	denied
Excelsa Westmoreland Hospital	28 Pa. Code § 153.1	8.1.2.1 IBC code—handicapped accessible patient toilets	09/15/07	not DOH jurisdiction
DSI Bucks County	28 Pa. Code § 153.1c	NFPA 101—18.2.2.2.9 and 7.2.1.14	09/29/07	not DOH jurisdiction
DSI Bucks County	28 Pa. Code § 153.1	8.2.2.3 of AIA Guidelines	09/29/07	granted
Ambulatory Surgical Facilities				
Center for Spine Care at Lancaster Neuroscience and Spine Associates	28 Pa. Code § 551.3	definitions—PS3	03/10/07	denied
Carbon-Schuylkill Endoscopy Center	28 Pa. Code § 551.3	definitions—PS3	06/02/07	granted
Rhawn Street Endoscopy Center	28 Pa. Code § 551.3	definitions—PS3	06/02/07	granted

NOTICES

5859

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Grand View Endoscopy Center at Harleysville	28 Pa. Code § 551.3	definitions—PS3	07/21/07	granted
Endoscopy Center at St. Mary	28 Pa. Code § 551.3	definitions—PS3	07/21/07	granted
Main Line Endoscopy Center, East	28 Pa. Code § 551.3	definitions—PS3	08/18/07	granted
Mountain Laurel Surgery Center	28 Pa. Code § 551.3	definitions—PS3	08/18/07	granted
Mt. Airy Ambulatory Endoscopy Surgery Center	28 Pa. Code § 551.3	definitions—PS3	08/18/07	granted
Main Line Endoscopy Center, East	28 Pa. Code § 551.3	definitions—PS3	09/01/07	granted
Temple University School of Podiatric Medicine Ambulatory Surgical Center	28 Pa. Code § 551.3	definitions—PS3	09/01/07	granted
PMA Gastroenterology Center	28 Pa. Code § 551.3	definitions—PS3	09/08/07	denied
20/20 Surgery Center	28 Pa. Code § 551.3	definitions—PS3	09/15/07	granted
West Chester Endoscopy, LLC	28 Pa. Code § 551.3	definitions—PS3	09/13/07	granted
Wellspan Endoscopy Center	28 Pa. Code § 551.3(a)	administrative responsibilities	08/18/07	granted
Abington Surgical Center	28 Pa. Code § 551.21(d)	criteria for surgery—laparoscopic procedures	06/02/07	granted
Northwood Surgery Center	28 Pa. Code § 551.21(d)	criteria for surgery—laparoscopic procedures	06/02/07	granted
Gettysburg Ambulatory Surgical Center, LLC	28 Pa. Code § 551.21(d)	criteria for surgery—laparoscopic procedures	07/21/07	granted/ denied
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 553.1	governing body	08/18/07	granted
Surgery Center at Limerick	28 Pa. Code § 553.1	governing body	09/15/07	granted
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 553.4(a)	annual governing body meeting	09/29/07	granted
PMA Gastroenterology Center	28 Pa. Code § 553.31(a)	anesthesia services—propofol	09/15/07	granted
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 555.1	medical staff	08/18/07	granted
Surgery Center at Limerick	28 Pa. Code § 555.1	medical staff	09/15/07	granted
CHP South Surgery Center	28 Pa. Code § 555.2	medical staff membership	07/21/07	denied
CHP North Surgery Center	28 Pa. Code § 555.2	medical staff membership	07/21/07	denied
CHP South Surgery Center	28 Pa. Code § 555.3(d)(2)(3)	reappointment	07/21/07	denied
CHP North Surgery Center	28 Pa. Code § 555.3(d)(2)(3)	reappointment	07/21/07	denied
Valley Surgical Center	28 Pa. Code § 555.31(a)	anesthesia services—propofol	08/19/06	granted
Drexel Center for Digestive Health	28 Pa. Code § 555.31(a)	anesthesia services—propofol	08/18/07	granted
Temple University School of Podiatric Medicine ASC	28 Pa. Code § 555.31(a)	anesthesia services—propofol	07/21/07	granted
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 557.1	principle—quality assurance	08/18/07	granted
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 557.3(f)	quality assurance committee	09/29/07	granted
Surgery Center at Limerick	28 Pa. Code § 557.4	quality assurance	09/15/07	granted
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 563.1	principle—medical records	08/18/07	not needed

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 563.2(a)	medical records service	09/29/07	granted
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 563.12	form and content of record	08/18/07	denied
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 567	environmental services—infection control	08/18/07	denied
Surgery Center at Limerick	28 Pa. Code § 567.2	quality assurance committee	09/15/07	granted
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 567.2(1)	infection control prevention, control and investigation	09/29/07	granted
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 567.2(i)	written standards for ASF sanitation and asepsis	09/29/07	granted
CHP South Surgery Center	28 Pa. Code § 569.35	general safety precautions	03/31/07	granted
Surgery Center of the Main Line	28 Pa. Code § 569.35	general safety precautions	07/07/07	granted
UPMC St. Margaret Harmar Outpatient Center	28 Pa. Code § 569.35	general safety precautions	07/07/07	granted
Gamma Surgery Center	28 Pa. Code § 569.35	general safety precautions	07/21/07	granted
Harrisburg Endoscopy and Surgery Center	28 Pa. Code § 569.35	general safety precautions	07/28/07	granted
Evangelical Ambulatory Surgery Center	28 Pa. Code § 569.35	general safety precautions	08/04/07	granted
Altoona Regional Health System Surgery Center	28 Pa. Code § 569.35	general safety precautions	08/04/07	granted
Center for Same Day Surgery, The	28 Pa. Code § 569.35	general safety precautions	08/04/07	granted
Surgical Center of York	28 Pa. Code § 569.35	general safety precautions	08/18/07	granted
Surgery Center at Limerick	28 Pa. Code § 569.35	general safety precautions	09/08/07	granted
Surgery Center at Brinton Lake, LLC	28 Pa. Code § 569.35	general safety precautions	09/29/07	granted
Surgery Center of Central Pennsylvania	28 Pa. Code § 571.1	3.1 2.1.3 treatment rooms and 3.7 2.4.1 recovery areas	07/21/07	granted
Ludwick Laser and Surgery Center	28 Pa. Code § 571.1	9.5.F3c recovery stations	08/18/07	granted
Excelsa Health—Latrobe	NUMEROUS	governing body, medical staff	06/02/07	granted/not necessary
Excelsa Health—Frick	NUMEROUS	governing body, medical staff	06/02/07	granted/not necessary
Excelsa Health—Westmoreland	NUMEROUS	governing body, medical staff	06/02/07	granted/not necessary
Nursing Care Facilities				
Presbyterian Homes of the Presbytery of Huntingdon	28 Pa. Code § 201.3	definitions	07/21/07	granted
Wayne Woodlands Manor	28 Pa. Code § 201.3	definitions	07/21/07	granted
Belle Haven	28 Pa. Code § 201.3	definitions	07/21/07	granted
Laurel View Village	28 Pa. Code § 201.3	definitions	08/04/07	granted
Shamokin Area Community Hospital Skilled Nursing	28 Pa. Code § 201.17	location	06/23/07	granted
Shamokin Area Community Hospital Skilled Nursing	28 Pa. Code § 205.6(a)	function of building	06/23/07	granted
Sunbury Community Hospital Skilled Nursing	28 Pa. Code § 205.6(a)	function of building	06/23/07	granted
Muncy Valley Hospital Skilled Nursing Unit	28 Pa. Code § 205.6(a)	function of building	06/23/07	granted
Bucktail Medical Center	28 Pa. Code § 205.6(a)	function of building	06/23/07	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
The Village at Luther Square	28 Pa. Code § 205.6(a)	function of building	07/21/07	granted
Maple Winds Care Center	28 Pa. Code § 205.6(a)	function of building	07/21/07	granted
Renaissance Gardens at Maris Grove	28 Pa. Code § 205.6(a)	function of building	07/28/07	granted
Laurel Care Nursing and Rehab Center	28 Pa. Code § 205.6(a)	function of building	08/04/07	granted
Memorial Hospital, Inc. Skilled Nursing Unit	28 Pa. Code § 205.6(a)	function of building	08/04/07	granted
Charles Cole Memorial Hospital ECF	28 Pa. Code § 205.6(a)	function of building	08/04/07	granted
Baptist Homes of Western	28 Pa. Code § 205.6(a)	function of building	08/18/07	granted
Mt. Macrina Manor	28 Pa. Code § 205.6(a)	function of building	08/18/07	granted
Centre Crest	28 Pa. Code § 205.6(a)	function of building	09/01/07	granted
Arbutus Park Manor	28 Pa. Code § 205.6(a)	function of building	09/22/07	granted
Jefferson Manor Health Care	28 Pa. Code § 206.6(a)	function of building	09/22/07	granted
Chatham Acres Nursing Center, Inc.	28 Pa. Code § 205.20(d)(f)	resident bedrooms	06/23/07	granted
Garden Spot Village	28 Pa. Code § 205.28(a)	nurses' station	06/30/07	granted
The Health Center at The Hill at Whitemarsh	28 Pa. Code § 205.28(b)	nurses' station	07/28/07	granted
Bucktail Medical Center	28 Pa. Code § 205.28(a)	nurses' station	07/28/07	granted
Holy Family Residence	28 Pa. Code § 205.28(b)	nurses' station	07/28/07	granted
Golden Living Center—Mansion	28 Pa. Code § 205.36(h)	bathing facilities	08/04/07	granted
Lebanon Valley Brethren Home	28 Pa. Code § 205.67(k)	electric requirements	07/21/07	granted
Pennsylvania Soldiers' and Sailors' Home	28 Pa. Code § 205.68(a)	special electrical req	09/22/07	granted
HealthSouth York Transitional Rehab Unit	28 Pa. Code § 211.12(b)	nursing services	06/23/07	granted
Mercy Jeannette Hospital Skilled Nursing Center	28 Pa. Code § 211.12(b)	nursing services	07/21/07	granted

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

[Pa.B. Doc. No. 07-2000. Filed for public inspection October 26, 2007, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meeting

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301 and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Wednesday, November 14, 2007, from 9 a.m. to 4 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Kenneth McGarvey at the previous number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

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

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

[Pa.B. Doc. No. 07-2001. Filed for public inspection October 26, 2007, 9:00 a.m.]

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, November 29, 2007, from 10 a.m. to 3 p.m., 125N, Training Room A, Commonwealth Keystone Building, Commonwealth Avenue and Forster Streets, Harrisburg, PA.

For additional information, contact Arthur A. Florio, Public Health Program Administrator, Newborn Hearing Screening Program (Program), Division of Newborn Screening and Genetics at (717) 783-8143.

Persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so should contact the Newborn Hearing Screening Program at (717) 783-8143. Speech and/or hearing impaired persons use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 07-2002. Filed for public inspection October 26, 2007, 9:00 a.m.]

Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under the Pennsylvania Cancer Control, Prevention and Research Act (35 P. S.

§ 5633), will hold a meeting on Wednesday, December 5, 2007, from 7:45 a.m. to 2 p.m., at the Dixon University Center, 2986 North Second Street, Harrisburg, PA 17110.

For additional information, contact Kathleen A. Zitka, Chief, Department of Health, Comprehensive Cancer Control Section, Room 1011, Health and Welfare Building, Harrisburg, PA at (717) 787-5251.

Persons with disabilities who wish to attend the meeting and requiring an auxiliary aid, service or other accommodation should contact Kathleen A. Zitka at (717) 787-5251 or for speech and/or hearing impaired persons at V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 07-2003. Filed for public inspection October 26, 2007, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Medical Assistance Program Fee Increases for Select Dental Procedure Codes

Purpose of Notice

The Department of Public Welfare (Department) announces that it will increase the fees paid by the Medical Assistance (MA) Program for select dental procedure codes effective with dates of service on or after November 1, 2007. The Department consulted with the Pennsylvania Dental Association, other key stakeholders and dentists in determining which existing fees for dental services should be increased to support enhanced access to dental services by MA recipients. The Department is increasing the fees for the following dental procedure codes:

<i>Procedure Code</i>	<i>Procedure Description</i>	<i>Current Fee</i>	<i>Fee Effective November 1, 2007</i>
D1110	Prophylaxis—Adult (12 years of age or older)	\$34.00	\$36.00
D1120	Prophylaxis—Child (0 through 11 years of age)	\$22.00	\$30.00
D1203	Topical Application of Fluoride (Prophylaxis Not Included)—Child	\$17.00	\$18.00
D2740	Crown—Porcelain/Ceramic Substrate	\$300.00	\$350.00
D2751	Crown—Porcelain Fused to Predominantly Base Metal	\$300.00	\$350.00
D2791	Crown—Full Cast Predominantly Base Metal	\$300.00	\$350.00
D2930	Prefabricated Stainless Steel Crown—Primary Tooth	\$90.00	\$99.00
D2934	Prefabricated Esthetic Coated Stainless Steel Crown—Primary Tooth	\$90.00	\$99.00
D3220	Therapeutic Pulpotomy (Excluding Final Restoration)	\$50.00	\$57.00
D3310	Anterior (Excluding Final Restoration)	\$180.00	\$210.00
D3320	Bicuspid (Excluding Final Restoration)	\$225.00	\$270.00
D3330	Molar (Excluding Final Restoration)	\$270.00	\$345.00
D5110	Complete Denture—Maxillary	\$320.00	\$355.00
D5120	Complete Denture—Mandibular	\$320.00	\$355.00
D5130	Immediate Denture—Maxillary	\$320.00	\$355.00
D5140	Immediate Denture—Mandibular	\$320.00	\$355.00
D5211	Upper Partial—Resin Based	\$200.00	\$250.00
D5212	Lower Partial—Resin Based	\$200.00	\$250.00
D5213	Maxillary Partial Denture—Cast Metal Framework with Resin Denture Bases	\$330.00	\$370.00
D5214	Mandible Partial Denture—Cast Metal Framework with Resin Denture Bases	\$330.00	\$370.00
D7140	Extraction, Erupted Tooth or Exposed Root	\$45.00	\$60.00
D7210	Surgical Removal of Erupted Tooth Requiring Elevation of Mucoperiosteal Flap and Removal of Bone and/or Section of Tooth	\$45.00	\$60.00
D7220	Removal of Impacted Tooth—Soft Tissue	\$60.00	\$65.00

Fiscal Impact

These changes will result in increased costs of \$1.631 million (\$0.754 million in State funds) in the MA-Outpatient program in Fiscal Year (FY) 2007-2008, and \$3.263 million (\$1.512 million in State funds) in FY 2008-2009.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to the MA Program Outpatient Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the AT&T Relay Services at (800) 654-5984 (TDD users) or (800) 654-5899 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-530. (1) General Fund; (2) Implementing Year 2007-08 is \$754,000; (3) 1st Succeeding Year 2008-09 is \$1,512,000; 2nd Succeeding Year 2009-10 is \$1,512,000; 3rd Succeeding Year 2010-11 is \$1,512,000; 4th Succeeding Year 2011-12 is \$1,512,000; 5th Succeeding Year 2012-13 is \$1,512,000; (4) 2006-07 Program—\$671,472,000; 2005-06 Program—\$945,950,000; 2004-05 Program—\$842,991,000; (7) Medical Assistance—Outpatient; (8) recommends adoption. Funds have been included in the budget to cover these increases.

[Pa.B. Doc. No. 07-2004. Filed for public inspection October 26, 2007, 9:00 a.m.]

Medical Assistance Program Fee Schedule; Childhood Nutrition and Weight Management Services

Purpose of Notice

The Department of Public Welfare (Department) announces that it is adding Childhood Nutrition and Weight Management Services for Medical Assistance (MA) recipients under 21 years of age to the MA Program Fee Schedule, effective November 1, 2007.

Description of Services

Children who are overweight or obese are at risk of developing serious health problems such as high cholesterol, high blood pressure and type 2 diabetes. At times, children who have weight management problems, such as significant fluctuations in weight over a period of time, are also susceptible to serious health complications. In an effort to achieve better health outcomes for MA recipients under 21 years of age, the Department will make payment for Childhood Nutrition and Weight Management Services, which address the child's nutrition and weight management activities and are intended to reduce the occurrence of the serious health problems described previously. Specific services include: initial assessment, re-assessment, individual counseling, family counseling, group counseling and nutritional counseling.

Fee Schedule

Effective November 1, 2007, Physicians, Certified Registered Nurse Practitioners, registered nurses, nutritionists, outpatient hospitals, independent medical-surgical clinics, Federally Qualified Health Centers and Rural Health Clinics enrolled in the MA Program who serve as Primary Care Practitioners may bill for Childhood Nutrition and Weight Management Services when the services are medically necessary and rendered to MA recipients under 21 years of age who are overweight, obese or experiencing weight management problems. The Department is adding the following procedure codes to the MA Program Fee Schedule for initial assessment, reassessment, counseling and nutritional counseling services:

Procedure

<i>Code</i>	<i>Procedure Description</i>	<i>MA Fee</i>
96150	Health and behavior assessment (e.g., health-focused clinical interview, behavioral observations, psychophysiological monitoring, health-oriented questionnaires), each 15 minutes, face-to-face with the patient; initial assessment	\$20.38
T1015	*** Clinic visit defined as = Health and behavior assessment (e.g., health-focused clinical interview, behavioral observations, psychophysiological monitoring, health-oriented questionnaires), each 15 minutes, face-to-face with the patient; initial assessment	Encounter rate
96151	Health and behavior assessment (e.g., health-focused clinical interview, behavioral observations, psychophysiological monitoring, health-oriented questionnaires), each 15 minutes, face-to-face with the patient; re-assessment	\$20.38
T1015	*** Clinic visit defined as = Health and behavior assessment (e.g., health-focused clinical interview, behavioral observations, psychophysiological monitoring, health-oriented questionnaires), each 15 minutes, face-to-face with the patient; re-assessment	Encounter rate
96152	Health and behavior intervention, each 15 minutes, face-to-face; individual	\$19.60
T1015	***Clinic visit defined as= Health and behavior intervention, each 15 minutes, face-to-face; individual	Encounter rate
96153	Health and behavior intervention, each 15 minutes, face-to-face; group (2 or more patients)	\$5.39
T1015	***Clinic visit defined as= Health and behavior intervention, each 15 minutes, face-to-face; group (2 or more patients)	Encounter rate

<i>Procedure Code</i>	<i>Procedure Description</i>	<i>MA Fee</i>
96154	Health and behavior intervention, each 15 minutes, face-to-face; family (with patient present)	\$19.60
T1015	***Clinic visit defined as= Health and behavior intervention, each 15 minutes, face-to-face; family (with patient present)	Encounter rate
S9470	Nutritional counseling, dietitian visit	\$26.46
T1015	***Clinic visit defined as= Nutritional counseling, dietitian visit	Encounter rate

Specific instructions for billing these procedure codes will be included in a MA Bulletin that will be issued to affected providers before November 1, 2007.

Enrollment of Nutritionists

A nutritionist who possesses current licensure as a dietitian-nutritionist from the Department of State and current certification from the Commission on Dietetic Registration, the credentialing agency for The American Dietetic Association, may apply to enroll as a provider of nutritional counseling. Interested persons may obtain an enrollment application by:

- visiting the Department's website at www.dpw.state.pa.us/omap/promise/enroll/omappromiseenroll.asp;
- calling (800) 537-8862; or
- writing to DPW Enrollment Unit, P. O. Box 8045, Harrisburg, PA 17105.

Nutritionists currently enrolled in the MA Program to provide nutritional consultation services under the Aids Waiver Program may provide the nutritional counseling component of Childhood Nutrition and Weight Management Services without submitting another enrollment application.

Fiscal Impact

It is estimated that the addition of these services to the MA Program Fee Schedule will result in costs to the MA-Outpatient Program of \$0.382 million (\$0.176 million in State funds) in Fiscal Year (FY) 2006-2007 and \$1.530 million (\$0.704 million in State funds) in FY 2008-2009. It is expected that these additional costs will be offset by savings achieved through the improved health of the target population.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, Attention: c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service should submit comments using the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-531. (1) General Fund; (2) Implementing Year 2007-08 is \$ 176,000; (3) 1st Succeeding Year 2008-09 is \$704,000; 2nd Succeeding Year 2009-10 is \$1,760,000; 3rd Succeeding Year 2010-11 is \$3,519,000; 4th Succeeding Year 2011-12 is \$3,519,000; 5th Succeeding Year 2012-13 is \$3,519,000; (4) 2006-07 Program—\$671,472,000; 2005-06 Program—\$945,950,000; 2004-05 Program—\$842,991,000; (7) Medical Assistance—Outpatient; (8) recommends adoption. Funds have been included in the budget to cover these increases.

[Pa.B. Doc. No. 07-2005. Filed for public inspection October 26, 2007, 9:00 a.m.]

Medical Assistance Program Outpatient Fee Schedule Increases for Select Office Visit and Office Consultation Procedure Codes

Purpose of Notice

The Department of Public Welfare (Department) announces that it will increase the fees paid by the Medical Assistance (MA) Program for select office visit and office consultation procedure codes effective with dates of service on or after November 1, 2007. The Department consulted with the Pennsylvania Medical Society, medical providers and other key stakeholders in determining which existing fees for office visits and office consultations should be increased to support continued access to medical services by MA recipients. The Department is increasing the fees for the following procedure codes:

NOTICES

5865

<i>Procedure Code</i>	<i>Procedure Description</i>	<i>Current Fee</i>	<i>Fee Effective November 1, 2007</i>
99202	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; and straightforward medical decision making. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of low to moderate severity. Physicians typically spend 20 minutes face-to-face with the patient and/or family.	\$23.00	\$30.00
99203	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a detailed history; a detailed examination; and medical decision making of low complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate severity. Physicians typically spend 30 minutes face-to-face with the patient and/or family.	\$25.00	\$50.00
99204	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a comprehensive history; a comprehensive examination; and medical decision making of moderate complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 45 minutes face-to-face with the patient and/or family.	\$27.00	\$60.00
99205	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a comprehensive history; a comprehensive examination; and medical decision making of high complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 60 minutes face-to-face with the patient and/or family.	\$36.00	\$80.00
99213	Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: an expanded problem focused history; an expanded problem focused examination; and medical decision making of low complexity. Counseling and coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of low to moderate severity. Physicians typically spend 15 minutes face-to-face with the patient and/or family.	\$27.00	\$35.00
99214	Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: a detailed history; a detailed examination; and medical decision making of moderate complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 25 minutes face-to-face with the patient and/or family.	\$29.00	\$43.00
99215	Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: a comprehensive history; a comprehensive examination; and medical decision making of high complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 40 minutes face-to-face with the patient and/or family.	\$36.00	\$70.00

<i>Procedure Code</i>	<i>Procedure Description</i>	<i>Current Fee</i>	<i>Fee Effective November 1, 2007</i>
99242	Office consultation for a new or established patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; and straightforward medical decision making. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of low severity. Physicians typically spend 30 minutes face-to-face with the patient and/or family.	\$30.00	\$40.00
99243	Office consultation for a new or established patient, which requires these three key components: a detailed history; a detailed examination; and medical decision making of low complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate severity. Physicians typically spend 40 minutes face-to-face with the patient and/or family.	\$30.00	\$50.00
99244	Office consultation for a new or established patient, which requires these three key components: a comprehensive history; a comprehensive examination; and medical decision making of moderate complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 60 minutes face-to-face with the patient and/or family.	\$49.00	\$60.00
99245	Office consultation for a new or established patient, which requires these three key components: a comprehensive history; a comprehensive examination; and medical decision making of high complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 80 minutes face-to-face with the patient and/or family.	\$49.00	80.00

Fiscal Impact

These changes will result in increased costs of \$4.641 million (\$2.252 million in State funds) in the MA Outpatient Program in Fiscal Year (FY) 2007-2008, and \$9.283 million (\$4.474 million in State funds) in FY 2008-2009.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered in any subsequent revisions to the MA Program Outpatient Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the AT&T Relay Services at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-532. (1) General Fund; (2) Implementing Year 2007-08 is \$2,252,000; (3) 1st Succeeding Year 2008-09 is \$4,474,000; 2nd Succeeding Year 2009-10 is \$4,474,000; 3rd Succeeding Year 2010-11 is \$4,474,000; 4th Succeeding Year 2011-12 is \$4,474,000; 5th Succeeding Year 2012-13 is \$4,474,000; (4) 2006-07 Program—\$671,472,000; 2005-06 Program—\$945,950,000; 2004-05 Program—\$842,991,000; (7) Medical Assistance—Outpatient; (8) recommends adoption. Funds have been included in the budget to cover these increases.

[Pa.B. Doc. No. 07-2006. Filed for public inspection October 26, 2007, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Request for Bids

The Department of Transportation will be accepting bids for the boarding and sealing of structures of property located along Route 412, Hellertown Road, City of Bethlehem, Northampton County. Sealed Bids from contractors will be accepted by the Department of Transportation at Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101, until 3 p.m. on Wednesday, November 21, 2007. The contract will include approximately 17 structures. For Bid Forms, date of inspection tour, specifications and further information contact Bruce Kern, District Property Manager, Department of Transportation, 1002 Hamilton Street, Allentown, PA 18101, (610) 871-4179.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 07-2007. Filed for public inspection October 26, 2007, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

On October 16, 2007, the Environmental Quality Board (Board) accepted a rulemaking petition for study under 25

Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted collectively by the Brodhead Watershed Association, Tobyhanna Creek Tunkhannock Creek Watershed Association, the Brodhead Chapter of Trout Unlimited, the Swiftwater Preserve and the Buck Hill Conservancy, requests the Board amend 25 Pa. Code § 93.9c (relating to Drainage List C) to upgrade the Swiftwater Creek Basin in Monroe County (Source to SR No. 611) from High Quality-Cold Water Fishes to Exceptional Value designation.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters before performing survey work. The Department's assessment notice for the Swiftwater Creek Basin will appear in a future issue of the *Pennsylvania Bulletin*.

The previously referenced petition submitted by the Brodhead Watershed Association, and others are available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 and are accessible on the Department's website at www.depweb.state.pa.us (DEP Keywords: EQB) (EQB Meeting Agendas/Handouts/Minutes; 2007; October 16, 2007).

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 07-2008. Filed for public inspection October 26, 2007, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-409	Environmental Quality Board Hazardous Waste Regulations 37 Pa.B. 3249 (July 14, 2007)	9/12/07	10/12/07

Environmental Quality Board Regulation #7-409 (IRRC #2619)

Hazardous Waste Regulations

October 12, 2007

We submit for your consideration the following comments on the proposed rulemaking published in the July 14, 2007 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review

Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (Board) to respond to all comments received from us or any other source.

1. Sections 264a.115 and 265a.115. Certification of closure.—Consistency; Clarity.

Certification of closure

These two sections provide the processes for closure certification of hazardous waste facilities. We question why the terms are different in each. For example, the period of 180 days is used for closure procedures for solid waste management units in Section 264a.115(b). The same period of 180 days is also in Section 265a.115(c) while a period of 90 days is found in Section 265a.115(b).

In addition, why are the reasons or conditions different in either section for extending the closure period? What are the bases for these differences?

Finally, why does Section 264a.115(b)(2) discuss taking “all steps to prevent threats to human health and environment,” but Sections 265a.115(b)(1) and (2) refer to “all measures necessary to ensure safety to human health and the environment?” The Board should use consistent standards in the final-form regulation or explain the need for the different phrasing used to describe these standards of protection.

Reasonable likelihood and incompatibility

In Section 264a.115(b)(1)(ii) and (iii) how would the Board determine or measure “reasonable likelihood” and if closure of the facility would be “incompatible . . . ?”

2. Sections 264a.143 and 265a.143. Financial assurance for closure.—Fiscal impact; Consistency with other regulations; Need; Implementation procedures.

These sections remove the use of the financial test and the corporate guarantee as a means of financial assurance, and replace them with closure insurance. According to the Preamble, this change is based on “[t]he Department’s [Department of Environmental Protection (DEP)] experience with companies suddenly losing the ability to meet the requirements of the financial test with no means of replacing collateral available or entering bankruptcy.” Commentators claim that the changes in these provisions will financially penalize the regulated community. What are the compelling interests that justify reducing the flexibility that is available under federal law and regulations? What will be the fiscal impact of the new system on the regulated community? In its response, the Board should also consider and explain what methods of financial assurance are used in neighboring states.

3. Sections 264a.168 and 265a.168. Bond forfeiture.—Implementation procedures; Clarity.

These two sections establish the process necessary if DEP determines that bond forfeiture is appropriate. We have four questions. First, why does the first sentence remain in Section 264a.168 (b)(4), but the same sentence was deleted from Section 265a.168(b)(4)? Second, in both sections, should each new sentence added to Subsection (b)(4) be separated out as its own number? Third, what are “environmental effects” as mentioned in (b)(4)? Finally, how will DEP calculate what are “excess moneys” as listed in Subsection (b)(4)?

4. Section 264a.195. Inspections.—Fiscal impact; Reasonableness; Implementation procedures; Need.

The proposed regulation deletes this section in its entirety. Commentators have indicated that this deletion would result in unnecessary costs imposed on the regulated community. If the tanks are in a facility that is not in operation during the weekend, what is the need for daily inspections? Why is inspection necessary for a storage tank when the facility is not in operation? The Board and DEP need to justify the need for and benefit of this deletion.

5. Section 265a.154. Form, terms and conditions of bond.—Clarity.

Subsection (b)

Subsection (b) mentions forms used for bond instruments. The Board should specify the manner in which these forms will be made available to the regulated community.

Numerical order

6. Section 266b.3. Definitions.—Clarity.

Paragraph (i), under the definition of “oil-based finishes,” refers to a “hazardous waste characteristic,” but the proposed regulation does not define this term. The Board should provide a definition for this term or a reference to the applicable federal regulation.

7. Sections 266b.11, 266b.12, 266b.31 and 266b.32. Waste management for universal waste.—Implementation procedures; Clarity.

These sections contain the same language to describe waste management for both universal waste oil-based finishes and photographic solutions. We have three concerns pertaining to these four sections. First, what is “original or *otherwise appropriate* and labeled packaging?” (Emphasis added.) Second, the phrase “reasonably foreseeable conditions” is vague and needs to be further defined. Finally, how is it determined that a container is “structurally sound, compatible . . . ?”

8. Section 270a.2. Definitions.—Implementation procedures.

Subsection (c) defines the term “standardized permit.” This subsection states that a standardized permit may have two parts: “[a] uniform portion issued in all cases and a *supplemental portion issued at the Department’s* discretion.” (Emphasis added.) When would DEP decide to use its discretion to issue a “supplemental portion?”

9. Section 270a.60. Permits-by-rule.—Fiscal impact; Reasonableness; Need.

Subsection (b)(2)(vi) states that “[t]reatment activities involving thermal treatment are not eligible to operate under this permit-by-rule.” Currently, DEP allows a generator treating its own hazardous waste in containers, tanks or containment buildings to operate under a permit-by-rule. A commentator expressed concerns over this proposed subsection, indicating that it could: “[l]imit options for reclaiming usable material from the waste or contaminated soil via use of thermal desorption or other processes that use elevated temperatures.” The Preamble offers no explanation for the new language making thermal treatment ineligible. What is the need for this change? Please explain the intent of the addition of Subsection (b)(2)(vi) and its impact on thermal treatment.

10. Section 270a.204. Procedures for preparing a draft standardized permit.—Reasonableness; Implementation procedures; Clarity.

This section provides the procedures necessary for preparing a draft standardized permit. How will DEP determine whether a facility has a “demonstrated history of significant noncompliance with applicable requirements,” making it ineligible for a standardized permit under Subsection (2)(ii)(D)?

The intent of the “tentative determination” and “draft permit decision” requirements in Subsection (3) are unclear. Will the permit applicant have an opportunity at this point to submit more information? Please explain.

11. Section 270a.206. Requirement to apply for an individual permit.—Clarity.

This section provides the requirements necessary to apply for an individual standardized permit, with ineligibility based on various factors. How will DEP determine a “demonstrated history of significant noncompliance” and a “demonstrated history of submitting incomplete or deficient permit applications” as mentioned in Paragraphs 1

(ii) and (iii)? When will DEP inform a facility owner or operator that it needs to apply for an individual permit as mentioned in Paragraph (2)? The final-form regulation should include a reference to the appropriate section that specifies a timeframe.

12. Section 270a.207. Requirements for standardized permit public notices.—Clarity.

This section describes the process for DEP to provide public notice of draft standardized permits. Paragraph (2)(ii) refers to “[a] manner constituting legal notice to the public under State statute.” This phrase is vague. The final-form rulemaking should set forth the specific manner in which notice is to be legally provided and specify the statute this provision references.

13. Section 270a.209. Response to comments.—Clarity.

This section describes the process for DEP’s response to public comments on draft standardized permits. We have two questions. First, Paragraphs (1) (ii) and (2) refer to “significant comments.” How will DEP determine what comments are “significant?” Second, Paragraph (1)(ii) indicates that DEP will describe and respond to all significant comments, and “[o]n any additional conditions necessary to protect human health and the environment.” What is meant by this phrase? Is it referring to conditions as a result of the permit or from those identified by the public comment? The final-form regulation needs to clarify this issue.

14. Section 270a.210. Procedures to appeal a final standardized permit.—Reasonableness; Clarity.

Would there be any circumstances where the uniform portion of the standardized permit would be subject to appeal?

15. Requests.—Reasonableness; Consistency; Implementation procedure; Clarity.

In Sections 265a.163 and 270a.41(3), the regulation refers to requests by DEP. However, it is unclear whether requests by DEP will be made in writing. We note that Section 270a.207(1)(iv) requires the public to submit requests in writing to DEP. The final-form regulation should clearly state that DEP will submit its requests in writing to parties who are expected to comply with the requests.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 07-2009. Filed for public inspection October 26, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

AF&L Insurance Company; Rate Increase Filing for an LTC Policy Form; Rate Filing

AF&L Insurance Company is requesting approval to increase the premium 12% on Long-Term Care policy form HHC-4. The proposed increase will affect 1,671 a policyholders of this Commonwealth.

Unless formal administrative action is taken prior to January 2, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) website at www.ins.state.pa.us.

pa.us. Scroll down the home page and click on “Consumer Information” located on the left side. Next scroll down to “General Information,” located in the middle of the page and click on “Notices.” The pdf copy of this filing is located at the link “Filing.pdf” 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 office in Harrisburg.

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

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2010. Filed for public inspection October 26, 2007, 9:00 a.m.]

AF&L Insurance Company; Rate Increase Filing for an LTC Policy Form; Rate Filing

AF&L Insurance Company is requesting approval to increase the premium 12% on Long-Term Care policy form LTC-5. The proposed increase will affect 528 policyholders of this Commonwealth.

Unless formal administrative action is taken prior to January 2, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) website at www.ins.state.pa.us. Scroll down the home page and click on “Consumer Information” located on the left side. Next scroll down to “General Information,” located in the middle of the page and click on “Notices.” The pdf copy of this filing is located at the link “Filing.pdf” 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 office in Harrisburg.

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

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2011. Filed for public inspection October 26, 2007, 9:00 a.m.]

AF&L Insurance Company; Rate Increase Filing for an LTC Policy Form; Rate Filing

AF&L Insurance Company is requesting approval to increase the premium 12% on Long-Term Care policy form LTC-4. The proposed increase will affect 323 policyholders of this Commonwealth.

Unless formal administrative action is taken prior to January 2, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next scroll down to "General Information," located in the middle of the page and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" 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 office in Harrisburg.

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

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2012. Filed for public inspection October 26, 2007, 9:00 a.m.]

AF&L Insurance Company; Rate Increase Filing for an LTC Policy Form; Rate Filing

AF&L Insurance Company is requesting approval to increase the premium 12% on Long-Term Care policy form QLTC-97. The proposed increase will affect 63 policyholders of this Commonwealth.

Unless formal administrative action is taken prior to January 2, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next scroll down to "General Information," located in the middle of the page, and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" 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 office in Harrisburg.

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

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2013. Filed for public inspection October 26, 2007, 9:00 a.m.]

AF&L Insurance Company; Rate Increase Filing for an LTC Policy Form; Rate Filing

AF&L Insurance Company is requesting approval to increase the premium 12% on Long-Term Care policy

form LTC-93. The proposed increase will affect 758 policyholders of this Commonwealth.

Unless formal administrative action is taken prior to January 2, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next scroll down to "General Information," located in the middle of the page, and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" 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 office in Harrisburg.

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

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2014. Filed for public inspection October 26, 2007, 9:00 a.m.]

AF&L Insurance Company; Rate Increase Filing for an LTC Policy Form; Rate Filing

AF&L Insurance Company is requesting approval to increase the premium 12% on Long-Term Care policy form LTC-7. The proposed increase will affect 218 policyholders of this Commonwealth.

Unless formal administrative action is taken prior to January 2, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next scroll down to "General Information," located in the middle of the page and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" 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 office in Harrisburg.

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

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2015. Filed for public inspection October 26, 2007, 9:00 a.m.]

Independence Blue Cross and Highmark Blue Shield; Nongroup Major Medical Rate Adjustment; Filing No. 16-P-07; Form 5210; Rate Filing

On October 10, 2007, the Insurance Department (Department) received from Independence Blue Cross a filing for a rate adjustment for Nongroup Major Medical products.

The company requests a rate increase of 10.04%. This will affect about 2,100 contractholders and will produce additional income of about \$626,000 annually. The requested effective date of the change is January 1, 2008.

Unless formal administrative action is taken prior to January 10, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written comments, suggestions or objections to James Sabater, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jsabater@state.pa.us, by no later than November 25, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2016. Filed for public inspection October 26, 2007, 9:00 a.m.]

Insurance Services Office, Inc.; Homeowners Loss Cost Revision; Rate Filing

On October 9, 2007, the Insurance Department (Department) received from Insurance Services Office, Inc. a filing for a proposed loss cost level change for homeowners insurance.

The advisory organization requests an overall 7.5% decrease in loss costs effective March 1, 2008.

Unless formal administrative action is taken prior to December 8, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available for public inspection, by appointment, during normal working hours at the Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us, within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2017. Filed for public inspection October 26, 2007, 9:00 a.m.]

Inter-County Health Plan, Inc.; Application for Approval of Revised Rates for its 65-Select (Health) Plans, Filing No. MG Health 0907; Rate Filing

Inter-County Health Plan, Inc. has filed for approval increased rates for its community-rated 65-Select program. The requested effective date of the revised rates is January 1, 2008, and represents an average increase of 13.5% over the currently approved rates. The monthly premiums for subscribers enrolling at first eligibility are as follows:

	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Adjustment Percentage</i>
Plan A	\$74.20	\$84.15	13.4%
Plan B	\$77.25	\$87.60	13.4%
Plan C	\$86.40	\$98.15	13.6%
Plan D	\$80.20	\$90.95	13.4%
Plan E	\$77.25	\$87.60	13.4%
Plan H	\$94.80	\$107.50	13.4%

These rate adjustments will affect approximately 2,543 subscribers in this Commonwealth, and will generate approximately \$396,000 in additional premium annually.

Unless formal administrative action is taken prior to January 10, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

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 or mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2018. Filed for public inspection October 26, 2007, 9:00 a.m.]

Inter-County Hospitalization Plan, Inc.; Application for Approval of Revised Rates for its 65-Select (Hospital) Plans, Filing No. MG Hospital 0907; Rate Filing

Inter-County Hospitalization Plan, Inc. has filed for approval increased rates for its community-rated 65-Select program. The requested effective date of the revised rates is January 1, 2008, and represents an average increase of 21.1% over the currently approved rates. The monthly premiums for subscribers enrolling at first eligibility are as follows:

	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Adjustment Percentage</i>
Plan A	\$55.30	\$67.00	21.2%
Plan B	\$84.50	\$97.50	15.4%
Plan C	\$95.45	\$117.65	23.3%
Plan D	\$95.90	\$117.45	22.5%

	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Adjustment Percentage</i>
Plan E	\$102.45	\$116.95	14.2%
Plan H (with Rx)	\$191.20	\$152.70	-20.1%
Plan H (w/o Rx)	\$93.75	\$116.30	24.1%

These rate adjustments will affect approximately 2,543 subscribers in this Commonwealth, and will generate approximately \$690,000 in additional premium annually.

Unless formal administrative action is taken prior to January 10, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

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

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2019. Filed for public inspection October 26, 2007, 9:00 a.m.]

Keystone Health Plan Central—Base Rates—Filing No. 07-ZZ and Benefit Pricing Methodology 07-AAA; Rate Filing

On October 12, 2007, Keystone Health Plan Central submitted a filing to revise its base HMO rates. The requested base rate increase by quarter for those renewing in 2008 is:

	<i>Quarter 1</i>	<i>Quarter 2</i>	<i>Quarter 3</i>	<i>Quarter 4</i>
For groups with less than 100 contracts—	14.29%	13.68%	13.07%	12.47%
For groups with 100 or more contracts—	13.71%	13.11%	12.51%	11.91%

Keystone Health Plan Central has also submitted a Benefit Pricing methodology. The filings will impact approximately 60,000 members. The base rate filing will generate additional annual revenue amounting to \$23.2 million. An effective date of January 1, 2008, has been requested.

Unless formal administrative action is taken prior to January 10, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2020. Filed for public inspection October 26, 2007, 9:00 a.m.]

Medical Care Availability and Reduction of Error Fund; Notice of and Amount of Assessment Action; Notice No. 2007-05

The Insurance Department (Department), Medical Care Availability and Reduction of Error Fund, by Peter Adams, Deputy Insurance Commissioner, under section 712 of the Medical Care Availability and Reduction of Error (MCARE) Act (act) (40 P.S. § 1303.712), has determined that the annual assessment to be levied for calendar year 2008 shall be 20% applied to the prevailing primary premium for each participating health care provider.

The act defines "prevailing primary premium" as the schedule of occurrence rates approved by the Insurance Commissioner for the Joint Underwriting Association (JUA). For purposes of the 2007 annual assessment, the rates shall be those currently approved for use by the JUA.

Participating health care providers having approved self-insurance plans shall be assessed an amount equal to the assessment imposed on a participating health care provider of like class, size, risk and kind as determined by the Department.

This action is subject to 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

PETER J. ADAMS,
Deputy Insurance Commissioner

[Pa.B. Doc. No. 07-2021. Filed for public inspection October 26, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Order

[Correction]

The Pennsylvania Public Utility Commission published the following default order at 37 Pa.B. 5108 (September 15, 2007) with an incorrect docket number. The following text represents the correct heading that should have appeared with the notice. The ellipses refer to the correct remaining text of the default order.

Default Order

Public Meeting held
August 30, 2007

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice-Chairperson; Terrance J. Fitzpatrick; Tyrone J. Christy; Kim Pizzingrilli

***Pennsylvania Public Utility Commission,
Law Bureau Prosecutory Staff v. We Connect
Communications, Inc. (2006.0090.00); C-20066749;
A-310865***

* * * * *

[Pa.B. Doc. No. 07-1739. Filed for public inspection September 14, 2007, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by November 19, 2007. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-00124153. C.A.T.A. Limos, LLC, t/a Hot Pursuit Limos of ABE (4115 Jacksonville Road, Bethlehem, Northampton County, PA 18017), a limited liability company of the Commonwealth—persons in limousine service, between points in the Counties of Carbon, Lehigh, Monroe and Northampton.

A-00124154. Jose Francisco Jose (515 Winters Avenue, West Hazleton, Luzerne County, PA 18202)—in paratransit service, from points in the City of Hazleton, to the T. J. Maxx Store located in Pittston Township, PA, and return.

A-00124156. Dennis Wise, t/a Wise Travels (2196 Millersville Road, Lancaster, Lancaster County, PA 17603)—in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Lancaster County, to points in Pennsylvania, and return.

Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-00116740, F1. South Hills Carriage, Inc. (250 Bower Hill Road, Venetia, Washington County, PA 15367)—a corporation of the Commonwealth—in limousine service, between points in the County of Washington, and from points in said county, to points in Pennsylvania,

and return; subject to the following conditions: (a) That no right, power or privilege is granted to provide service for funeral homes or for persons attending funerals; (b) That no right, power or privilege is granted to provide service to or from points in Butler County; (c) That no right, power or privilege is granted to provide service in vehicles with seating capacities of less than six passengers, except where provided in Rolls Royce and Bentley vehicles, or in vehicles which qualify as antique motor vehicles, as defined in 67 Pa. Code § 67.2.

A-00116740, F2. South Hills Carriage, Inc. (250 Bower Hill Road, Venetia, Washington County, PA 15367)—a corporation of the Commonwealth—in group and party service in vehicles seating 15 passengers or less, including the driver, between points in the County of Washington, and from points in said county, and the County of Allegheny, to points in Pennsylvania, and return; subject to the following condition: That service between points in the County of Washington located on and south of Interstate Highway 70 and from points in said territory, to points in Pennsylvania, is limited to the use of luxury limousine vehicles seating 11 to 15 passengers, including the driver.

A-00120815. Robert W. Alexander, Jr. and Linda L. Griffin (309 Main Street, Prospect, Butler County, PA 16052)—in limousine service, between points in the Counties of Butler, Lawrence, Mercer, Armstrong, Allegheny and Indiana, and from points in said counties, to points in Pennsylvania, and return.

A-00121696. Adam Weaver (162 East Main Street, P. O. Box 328, Leola, Lancaster County, PA 17540)—in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the Counties of Berks, Union, Lancaster, Franklin and Cumberland, and from points in said counties, to points in Pennsylvania, and return.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. William G. Gordon, t/a Buck Run Enterprises; Doc. No. A-00118109C0701

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 all authority issued to Gordon, William G. (respondent) is under suspension effective 03/01/2007 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at Gordon, William G., t/a Buck Run Enterprises, 307 North Main Street, Mercersburg, PA 17236.
3. That respondent was issued a Certificate of Public Convenience by this Commission on 8/28/2001 at Application Docket No. A-00118109.
4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance on file with this Commission.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66

Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00118109 for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

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

VERIFICATION

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

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement
Division
Bureau of Transportation and Safety

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). 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 (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current

insurance in accordance with the Commission's regulations within twenty (20) days of the date of service of this Complaint. The proof of insurance must be filed with the

Compliance Office, Bureau of Transportation
and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Upon receipt of the evidence of insurance from your insurer, the Complaint proceeding shall be closed. *Acord Certificates of Insurance and Faxed Form Es and Hs Are Unacceptable as Evidence of Insurance.*

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2022. Filed for public inspection October 26, 2007, 9:00 a.m.]

Telecommunications

A-311265F7001. Telrite Corporation and Verizon North, Inc. Joint petition of Telrite Corporation and Verizon North, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Telrite Corporation and Verizon North, Inc., by its counsel, filed on October 11, 2007, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Telrite Corporation and Verizon North, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2023. Filed for public inspection October 26, 2007, 9:00 a.m.]

Telecommunications

A-311265F7000. Telrite Corporation and Verizon Pennsylvania, Inc. Joint petition of Telrite Corporation and Verizon Pennsylvania, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Telrite Corporation and Verizon Pennsylvania, Inc., by its counsel, filed on October 11, 2007, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Telrite Corporation and Verizon Pennsylvania, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2024. Filed for public inspection October 26, 2007, 9:00 a.m.]

**PHILADELPHIA REGIONAL
PORT AUTHORITY**

Condensed Statement of Changes in Net Assets

	June 30, 2007 and 2006	
	AUDITED	
	<i>June 30, 2007</i>	<i>June 30, 2006</i>
Total Revenues	\$ 6,213,119	\$ 5,506,237
Total Operating Expenses	\$ 22,002,893	\$ 21,354,907
Operating Gain (Loss)	\$ (15,789,774)	\$ (15,848,670)
Net Nonoperating Revenues (Expenses)	\$ 4,966,031	\$ 4,561,774
(Loss) Gain Before Capital Grants	\$ (10,823,743)	\$ (11,286,896)

	<i>June 30, 2007</i>	<i>June 30, 2006</i>
Capital Grants and appropriations	\$ 15,081,218	\$ 18,157,148
Change in Net Assets	\$ 4,257,475	\$ 6,870,252
Net Assets, Beginning of Year	\$ 47,759,199	\$ 40,888,947
Net Assets, End of Year	\$ 52,016,674	\$ 47,759,199

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 07-2025. Filed for public inspection October 26, 2007, 9:00 a.m.]

**STATE EMPLOYEES'
RETIREMENT BOARD**

Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

November 13, 2007	Larry D. Punch (Benefit Reduction and COLA Application)	1 p.m.
November 28, 2007	Arthur Randall Thomas (Purchase of Service)	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with the 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

LEONARD KNEPP,
Acting Secretary

[Pa.B. Doc. No. 07-2026. Filed for public inspection October 26, 2007, 9:00 a.m.]

