

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 15, 2003.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-11-03	Northwest Bancorp, Inc., Warren, to acquire 100% of the voting shares of First Bell Bancorp, Inc., Bellevue	Warren	Filed

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-10-03	CNB Community Bank Clarion Clarion County	333 Main Street Clarion Clarion County	Filed
4-11-03	Affinity Bank of Pennsylvania Wyomissing Berks County	1310 Broadcasting Road Wyomissing Berks County	Commenced Operations

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-11-03	Northwest Savings Bank, Warren, and Bell Federal Savings and Loan Association of Bellevue, Bellevue Surviving Institution— Northwest Savings Bank, Warren	Warren	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-7-03	Fulton Bank Lancaster Lancaster County	The Shoppes at Jenner's Village 861 W. Baltimore Pike West Grove Chester County	Opened
4-9-03	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Voorhees Acme 700 Haddonfield-Berlin Road Voorhees Camden County, NJ	Filed
4-9-03	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Cinnaminson Acme 1103 Route 130 South Cinnaminson Burlington County, NJ	Filed
4-9-03	The Dime Bank Honesdale Wayne County	Dingmans Ferry Route 739 Delaware Township Pike County	Filed

NOTICES

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-11-03	Community Banks Millersburg Dauphin County	Shops at Strawberry Square 15-17 N. Third St. Harrisburg Dauphin County	Filed
4-11-03	Pennsylvania Business Bank Philadelphia Philadelphia County	1691-1695 Grant Ave. Philadelphia Philadelphia County	Filed
4-15-03	S & T Bank Indiana Indiana County	Wal-Mart 1 Hollywood Boulevard Delmont Westmoreland County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-11-03	Patriot Bank Pottstown Montgomery County	<i>To:</i> 1245 Airport Rd. Allentown Lehigh County <i>From:</i> 2126 West Union Blvd. Bethlehem Lehigh County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Acting Secretary

[Pa.B. Doc. No. 03-763. Filed for public inspection April 25, 2003, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Snowmobile and ATV Advisory Committee Meeting

The Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) will hold a meeting on Tuesday, May 6, 2003, at 9:30 a.m. in Room 105, First Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items should be directed to GERALYN UMSTEAD at (717) 772-9087.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact GERALYN UMSTEAD at (717) 772-9087 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 03-764. Filed for public inspection April 25, 2003, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

Under the Federal Clean Water Act and The Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed 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 new permit applications, renewal application with major changes or applications for permits not waived by the EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. 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 this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application, within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The 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. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. 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 renewal application, including proposed effluent limitations and special conditions, is available on file. For new permit applications, information submitted with the applications is available on file. The information may be inspected and arrangements made for copying at the office indicated before the application.

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0036889 Sewage	Reading Township Municipal Authority 5500 Carlisle Pike New Oxford, PA 17350	Adams County Reading Township	Conewago Creek 7F	Y
PA0085375 IW	Newport Borough Water Authority 231 Market Street Newport, PA 17074	Perry County Oliver Township	Little Buffalo Creek 12B	Y
PA0021717 Sewage	Marietta-Donegal Joint Authority P. O. Box 167 Marietta, PA 17547	Lancaster County Marietta Borough	Susquehanna River 7G	Y
PA0087793 IW	United Water of Pennsylvania Market St. WTP 4211 E. Park Circle Harrisburg, PA 17111	Cumberland County Mechanicsburg Borough	7B	Y

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0082864 Sewage	Jesus Ministries, Inc. Agape Farm Campground R. R. 1, Box 58-B Shirleysburg, PA 17260	Huntingdon County Cromwell Township	Browns Gap Run 12C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0228702	All American Travel Plaza—Milton 1201 Harrisburg Pike Carlisle, PA 17013	Northumberland County Turbot Township	Limestone Run 10D	Y

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

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

PA0034631, Sewage, **Kung Mern Sern Tao Chang Tao Center, Inc.**, 3404 Birchwood Drive, East Stroudsburg, PA 18302. This proposed facility is located in Pocono Township, **Monroe County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage.

The receiving stream, Cranberry Bog, is in the State Water Plan watershed no. 1E and is classified for HQ-CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Emergency Intake East Stroudsburg is located on the Pocono Creek is approximately 8 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.03 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10		20
(11-1 to 4-30)	20		40
Total Suspended Solids	30		60
NH ₃ -N (5-1 to 10-31)	3		6
(11-1 to 4-30)	9		18
Phosphorus as "P"	1		2
Dissolved Oxygen	A minimum of 6 mg/l at all times.		
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	1.2		2.8

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

PA0082589, Sewage, **Fairview Township Authority (Fairview Township South WWTP)**, 599 Lewisberry Road, New Cumberland, PA 17070-2399. This facility is located in Fairview Township, **York County**.

Description of activity: Renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, unnamed tributary of Fishing Creek, is in Watershed 7-E and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Wrightsville Water Supply Co. is located on the Susquehanna River, approximately 22 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for based on an annual average flow rate of 0.5 MGD and a decant flow rate of approximately 1.8 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	XXX	50
Total Suspended Solids	30	45	XXX	60
NH ₃ -N (5-1 to 10-31)	1.5	XXX	XXX	3.0
(11-1 to 4-30)	4.5	XXX	XXX	9.0
Total Phosphorus	2.0	XXX	XXX	4.0
Total Residual Chlorine	0.19	XXX	Monitor and Report	0.64
Oil and Grease	15	XXX	XXX	30
Total Nitrogen	XXX	XXX	Monitor and Report	XXX

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dichlorobromomethane (Interim)	XXX	XXX	Monitor and Report	XXX
(Final)	0.0008	XXX	0.0016	0.002
Chloroform	XXX	XXX	Monitor and Report	XXX
Total Copper	XXX	XXX	Monitor and Report	XXX
Dissolved Oxygen		Minimum of 5.0 at all times		
pH		From 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric average		
(10-1 to 4-30)		2,000/100 ml as a geometric average		

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

The EPA waiver is in effect.

PA0080519, Sewage, **Antrim Township**, 10655 Antrim Church Road, P. O. Box 130, Greencastle, PA 17225. This facility is located in Antrim Township, **Franklin County**.

Description of activity: Amendment of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Conococheague Creek, is in Watershed 13-C and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Hagerstown, MD is located on the Potomac River, approximately 30 miles downstream. The discharge is not expected to affect the water supply.

This notice reflects changes from the notice published in the *Pennsylvania Bulletin*.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Annual Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Nitrogen		8.0 mg/l	16.0 mg/l

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

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

PA0002054-A2, Industrial Waste, SIC 4911, **Reliant Energy**, 101 Broad Street, Johnstown, PA 15907. This application is for amendment of an NPDES permit to discharge untreated cooling water from the Seward Generating Station in East Wheatfield Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, Conemaugh River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Saltsburg Municipal Water Works, located 22 miles below the discharge point.

Outfall 023: new discharge, design flow of 0.7—3.5 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Free Available Chlorine			0.2	0.5	
Temperature					110°F
Zinc			0.8		1.6
Nickel			0.45		0.9
Iron, tot			Monitor and Report		
Iron, dis			2.7		5.3
Manganese			Monitor and Report		
Aluminum			Monitor and Report		
Cobalt			0.27		0.53
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: Conditions pertaining to thermal discharges and requirement to collect intake river quality.

The EPA waiver is not in effect.

PA0219479, Sewage, **Carl E. Nicolaus, III**, 180 Pollock Run Road, Belle Vernon, PA 15012-3102. This application is for issuance of an NPDES permit to discharge treated sewage from Salem Ridge Village Sewage Treatment Plant in Rostraver Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Pollock Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority—McKeesport.

Outfall 001: new discharge, design flow of 0.0132 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	1.9			3.8
(11-1 to 4-30)	2.8			5.6
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	0.01			0.03
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0219487, Sewage, **Eighty Four Mining Company**, 172 Route 519 South, P. O. Box 355, Eighty Four, PA 15330. This application is for issuance of an NPDES permit to discharge treated sewage from Hallam Portal STP in Amwell Township, **Washington County**.

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

Outfall 001: new discharge, design flow of 0.025 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.0			6.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.02			0.044
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

WATER QUALITY MANAGEMENT PERMITS
CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER
APPLICATIONS UNDER THE CLEAN STREAMS LAW
PART II PERMITS

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department).

Persons wishing to comment on an application are invited to submit a statement to the office noted before the application, within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The 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 reserves the right to hold a public hearing 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 of the area. If no hearing is held, the Department's Water Management Program Manager will make a final determination regarding the applications after a complete review. 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.

A copy of the permit application or proposed plan is on file in the office indicated and is open to public inspection. Appointments to review the application may be made by contacting Records Management at the indicated telephone number.

I. 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. 4003401, White Haven Center, Department of Public Welfare, R. D. 2, Box 2195, Oley Valley Road, White Haven, PA 18661. This proposed facility is located in Foster Township, **Luzerne County**.

Description of Proposed Action/Activity: This project is for the installation of an UV disinfection unit at the White Haven Center's wastewater treatment plant to eliminate the use of chlorine disinfection.

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

WQM Permit No. 2203401, Sewerage, Derry Township Municipal Authority, 670 Clearwater Road, Hershey, PA 17033-2453. This proposed facility is located in Derry Township, **Dauphin County**.

Description of Proposed Action/Activity: Upgrade/expansion to their existing waste water treatment plant.

NPDES Stormwater Individual Permit

The following parties have applied for an NPDES permit to discharge stormwater associated with a construction activity into waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA Region III Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted before the application, within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Water 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 this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

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

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

NPDES Permit PAI2010903001, Stormwater, Main Street Group, Inc., 3359 Durham Road, Doylestown, PA 18901, has applied to discharge stormwater associated with a construction activity located in Milford Township, **Bucks County** to Unami Creek (HQ-CWF).

NPDES Permit PAI011503027, Stormwater, Veterinary Referral Center, 9 Coffman Street, Frazier, PA 19355, has applied to discharge stormwater associated with a construction activity located in East Whiteland Township, **Chester County** to Valley Creek (EV).

NPDES Permit PAI011503028, Stormwater, Manchester/Hill, Inc., 274 Lancaster Avenue, Suite 300, Malvern, PA 19355, has applied to discharge stormwater associated with a construction activity located in Schuylkill Township, **Chester County** to Pickering Creek (HQ).

NPDES Permit PAI011503029, Stormwater, Robert L. Cone, 416 Yoder Road, Elverson, PA 19520, has applied to discharge stormwater associated with a construction activity located in West Nantmeal Township, **Chester County** to South Branch French Creek (EV).

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

Luzerne County Conservation District: R485 Smith Pond Road, Lehman, PA 18627, (570) 674-7991.

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAI024003010	Suburban Wastewater Co. 762 West Lancaster Ave. Bryn Mawr, PA 19010-3489	Luzerne	Penn Lake Borough Dennison Township	Wright's Creek HQ-CWF

Pike County Conservation District: HC6, Box 6770, Hawley, PA 18428, (570) 226-8220.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025203002	Department of Transportation P. O. Box 111 Scranton, PA 18501	Pike	Delaware Township	Tributary to Dingmans Creek HQ-CWF

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

Berks County Conservation District, 1238 County Welfare Road. P. O. Box 520, Leesport, PA 19533, (610) 372-4657.

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAI030603003	Ed Swoyer Greater Berks Development Fund 19 North 6th Street Reading, PA 19603	City of Reading Berks County	Schuylkill River WWF

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

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798, Ext. 5.

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAS101915R	Soo Berry Ridge Partners P. O. Box 400 McElhattan, PA 17748	Clinton County Lamar Township	Long Run HQ
PAS101905R	Charles Real Estate 838 East Central Ave. Jersey Shore, PA 17740	Clinton County Wayne Township	McElhattan Creek CWF

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

Fayette County Conservation District: Donahue Center, R. D. 12, Box 202B, Greensburg, PA 15601-9217, (724) 837-5271.

NPDES Permit PAI052603005, Stormwater, **Texas Eastern Transmission, LP**, 5400 Westheimer Court, Houston, TX 77056, has applied to discharge stormwater associated with a construction activity located in Wharton Township, **Fayette County** to Meadow Run (HQ-CWF).

PUBLIC WATER SUPPLY (PWS) PERMIT

Under the Pennsylvania Safe Drinking Water Act, the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on the 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 this 30-day comment period will be considered in the formulation of the final determinations regarding this application. Comment responses 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. 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

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 may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

Application No. 5203502, Public Water Supply.

Applicant	Pennsylvania American Water Company
Township or Borough	Delaware Township
Responsible Official	Steven Seidl, Vice President Pennsylvania American Water Company 800 Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	Michael D. Youshock, P. E. Pennsylvania American Water Company 100 North Pennsylvania Avenue Wilkes-Barre, PA 18447
Application Received Date	February 26, 2003

Description of Action This project involves the addition of a booster station to serve an area which currently suffers from low pressure.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

Application No. Minor Amendment.

Applicant	Pennsylvania American Water Company
Township or Borough	Frackville Borough
Responsible Official	Steven Seidl, Vice President—Engineering Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	Scott M. Thomas, P. E. Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Application Received Date	March 12, 2003
Description of Action	The applicant requests approval for the installation of an ultraviolet light disinfection unit at the Center Street Treatment Facility.

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 any 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 after 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

William and Heidi Gerhardt Residence, Easttown Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Rd., Pennsburg, PA 18073, on behalf of William and Heidi Gerhardt, 478 Lantern La., Berwyn, PA 19312, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with Fuel Oil No. 2. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on March 28, 2003.

Abington Memorial Hospital, Abington Township, **Montgomery County**. Vincent M. Carbone, P. G., Lawler, Matusky & Skelly Engineers, LLP, 609 Hamilton Mall, Allentown, PA 18101, on behalf of Abington Memorial Hospital, Attn: Frank Jester, 1200 Old York Rd., Abington, PA 19001, has submitted a Notice of Intent to Remediate soil contaminated with Fuel Oil No. 6. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Chronical* on April 16, 2003.

Mort's Auto Repair, City of Philadelphia, **Philadelphia County**. Joseph Diamadi, Marshall Geoscience, Inc., 219 W. Main St., Trappe, PA 19426, on behalf of Mort Lowenthal, 122 Benjamin Court, Bldg. F, Philadelphia, PA 19114, has submitted a Notice of Intent to Remediate groundwater contaminated with MTBE and unleaded gasoline. The applicant proposes to remediate

the site to meet Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on March 31, 2003.

Northeast Regional Field Office: Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Weidner Residence, Williams Township, **Northampton County**. Dr. Dru Germanoski, 4206 Countryside Lane, Hellertown, PA 18055 has submitted a Notice of Intent to Remediate (on behalf of William Weidner, Gaffney Road, Easton, PA 18042) concerning the remediation of soils found or suspected to have been accidentally contaminated with home heating oil. A summary of the Notice of Intent to Remediate was reportedly published in the *Express Times* on March 28, 2003. A Final Report was simultaneously submitted.

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

Roberto Clemente Park, City of Lancaster, **Lancaster County**. Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482, on behalf of the Inner City Group, 545 Pershing Avenue, Lancaster, PA 17602 and the School District of Lancaster, 1020 Lehigh Avenue, Lancaster, PA 17602, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with inorganics, lead and chlorinated solvents. The applicant proposes to remediate the site as a Special Industrial Area. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster New Era* on March 11, 2003.

Leroy Shultz Residence, Lower Windsor Township, **York County**. GemChem, Inc., P. O. Box 384, Lititz, PA 17543-0384, on behalf of Leroy Shultz, 175 Bank Hill Road, East Prospect, PA 17317, submitted a Notice of Intent to Remediate site soils contaminated with no. 2 fuel oil. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Dispatch* on April 3, 2003.

Boyertown Foundry Company, Boyertown Borough, **Berks County**. Earth Tech, Inc., 2 Market Plaza Way, Mechanicsburg, PA 17055, on behalf of Boyertown Foundry Company, P. O. Box G, New Berlinville, PA 19545-0220, submitted a Notice of Intent to Remediate site groundwater contaminated with fuel oil no. 2. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Boyertown Times* on March 31, 2003.

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

Bloom Residence, Old Lycoming Township, **Lycoming County**. Hydro Environmental Technologies, Inc., on behalf of Roberta Bloom, 2018 Zuni Lane, Williamsport, PA 17701, has submitted a Notice of Intent to Remediate soil contaminated with No. 2 Fuel Oil. The applicant proposes to remediate the site to the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Williamsport Sun-Gazette* on February 16, 2003. See additional entry in the Actions section of this *Pennsylvania Bulletin*.

Lock Haven Auto Company, City of Lock Haven, **Clinton County**. Converse Consultants, on behalf of the City of Lock Haven, 20 East Church Street, Lock Haven, PA 17745-2599, has submitted a Notice of Intent to

Remediate site soil and groundwater contaminated with diesel fuel, fuel oil no 2, kerosene, MTBE and unleaded gas. The applicant proposes to meet the requirements of the Special Industrial Area requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lock Haven Express* on March 8, 2003. See additional entry in the Actions section of this *Pennsylvania Bulletin*.

Stover Property, Gregg Township, **Centre County**. Gannett Fleming, Inc., on behalf of Fred and Nancy Stover, 685 Green Grove Road, Spring Mills, PA 16875, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with fuel oil no. 2. The applicant proposes to remediate the site to the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Centre Daily Times* on March 21, 2003.

PPL West Williamsport Substation, City of Williamsport, **Lycoming County**. PPL, 2 North 9th Street, Allentown, PA 18101 has submitted a Notice of Intent to Remediate soil contaminated with PCBs. The applicant proposes to remediate the site to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Williamsport Sun-Gazette* on January 14, 2003.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Lexington Avenue, City of Pittsburgh, **Allegheny County**. Gary Ballesteros, Esq., Rockwell Automation, Inc., 777 East Wisconsin Avenue, Suite 1400, Milwaukee, WI 53202 (on behalf of Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219, University of Pittsburgh, B-50 Benedum Hall, Pittsburgh, PA 15261 and Blasland, Bouck & Lee, Inc., 600 Waterfront Drive, Pittsburgh, PA 15222-4741) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with PCBs, Heavy Metals, BTEX, PAHs, Pesticides and VOCs. The applicant proposes to remediate the site to meet the Statewide Health and Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on March 3, 2003.

Toby Brothers Iron & Metals, Dunbar Township, **Fayette County**. T. Green, TRG & Associates, P. O. Box 665, Youngstown, PA 15696 (on behalf of Mathew Tabaj, Toby Brothers Iron & Metals, 1431 West Crawford Avenue, Dunbar, PA 15431) has submitted a Notice of Intent to Remediate soil contaminated with Lead and PCBs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Courier* on February 17, 2003.

DeMasso Gas Station, Coraopolis Borough, **Allegheny County**. Shawn Gallagher, Springer Bush & Perry, P. C., Two Gateway Center, Pittsburgh, PA 15222 (on behalf of Arthur B. DeMasso, DeMasso Gas Station, 149 Greenlea Drive, Moon Township, PA 15108) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with Chlorinated Solvents, Diesel Fuel, Leaded Gasoline, Lead, MTBE, Fuel Oil No. 1, Fuel Oil No. 2, Fuel Oil No. 4, Fuel Oil No. 5, Fuel Oil No. 6, Inorganics, Kerosene, New Motor Oil, Other Organics, Unleaded Gasoline and Used Motor Oil. The applicant proposes to remediate the site to meet the

Statewide Health Standard and use the Special Industrial Area requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Coraopolis Record Star* on February 26, 2003.

Friends of the Riverfront, City of Pittsburgh, **Allegheny County**. Martin C. Knuth, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Jerry Dettore, Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate soil contaminated with PAHs. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on April 7, 2003.

Exxon Indiana Terminal No. 2024 PA Facility No. 32-82229 (former), White Township, **Indiana County**. Gary L. Antoinette, Geologic Services Corporation, 129 McCarrell Lane, Suite 2B, Zelienople, PA 16063 (on behalf of Frank Messina, ExxonMobil Refining and Supply Corp., 1900 E. Linden Avenue, Building 14, P. O. Box 728, Linden, NJ 07036) has submitted a Notice of Intent to Remediate groundwater contaminated with aviation gasoline, diesel fuel, fuel oil no. 1, fuel oil no. 2, fuel oil no. 4, fuel oil no. 5, fuel oil no. 6, kerosene, leaded gasoline, lead and MTBE. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Indiana Gazette* on February 24, 2003.

RESIDUAL WASTE GENERAL PERMITS

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 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 WMGR085. Lehigh Coal & Navigation Co., P. O. Box 311, Tamaqua, PA 18252-0311. The application is for processing and beneficial use of freshwater, brackish and marine dredge material, cement kiln dust, lime kiln dust, coal ash and cogeneration ash in mine reclamation. The application was originally accepted by the Central Office on September 16, 2002. A 60 day public comment period on the original application ended on November 11, 2002. Due to technical issues that resulted in major modification of the application, the Department decided to open an additional public comment period. A revised application from Lehigh Coal & Navigation Co. to replace the original application was accepted by the Central Office on April 8, 2003.

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 Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit ID No. 101645. Del-Con Construction, Inc., 100 DeLuca Drive, Saltsburg, PA 15681. Operation of the Del-Con Wood Burning Facility, a municipal waste processing facility located in Conemaugh Township, **Indiana County**. Application requesting permit termination received in the Regional Office on March 27, 2003.

Comments or information concerning the application should be directed to the Department of Environmental Protection, Waste Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. TDD users may contact the Department 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.

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

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

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

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

PLAN APPROVALS

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

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

06-03551: MGP, LLC (796 Fritztown Road, Sinking Spring, PA 19608) for construction of various graphite shaping equipment controlled by five fabric collectors in Spring Township, **Berks County**.

06-05061: Cambridge-Lee Industries, Inc. (P. O. Box 14026, Reading, PA 19612-4026) for construction of two batch furnaces controlled by low NOx burners in the tube plant in Ontelaunee Township, **Berks County**.

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

56-00289: KISS Manufacturing, Inc. (1747 Cumberland Highway, Meyersdale, PA 15552) for installation of manufacturing wood pellets at their facility in Brothersvalley Township, **Somerset County**.

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

24-00158: Rosebud Mining Company—Little Toby Mine (SR 219, Brockport, PA 15823), for installation of a 300 ton per hour coal processing facility at their bituminous underground coal mining operation in Horton Township, **Elk County**.

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.

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

48-320-013: Cadmus Specialty Publications (1991 Northampton Street, Easton, PA 18042-3189) for issuance of an Operating Permit to replace a printing press at their facility in Easton, **Northampton County**. The new web press will increase their facilities' VOC emissions from 14.13 TPY to 15.37 TPY. Emissions will be controlled by the use of their existing catalytic oxidizer. The Department will place a condition for the facility to monitor temperature rise across the catalyst. The Plan Approval and Operating Permit will contain additional

recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

48-310-047: Stockertown Construction Materials—Division of Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) for modification of a stone crushing plant controlled by water spray dust suppression systems and a fabric collector at their facility in Stockertown Borough, **Northampton County**. The crushing plant is a non-Title V facility. The fugitive dust emissions from the crushing plant will be controlled by the water spray dust suppression systems to the extent that the crushing plant will comply with the fugitive air contaminant emission requirements of 25 Pa. Code §§ 123.1 and 123.2 and the requirements of 40 CFR Part 60, Subpart OOO—Standards of Performance for New Stationary Sources. Also, the particulate emissions from the crushing plant's particle separation system fabric collector will not exceed the Best Available Technology standard of 0.02 grain/dscf. The plan approval will include monitoring, work practices, reporting and recordkeeping requirements designed to keep the sources operating within all applicable air quality requirements.

39-309-059: Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052) for installation of a cement/slag blending system and associated air pollution control equipment with four fabric collectors at their Whitehall Plant in Whitehall Township, **Lehigh County**. The Plan Approval and Operating Permit contain additional recordkeeping and operating restrictions designed to keep their facility operating within all applicable air quality requirements. The particulate emissions from each fabric collector will not exceed the Best Available Technology standard of 0.015 grain/dscf and will result in a total maximum particulate emission rate of 6.44 tons per year. The facility currently has a Title V Operating Permit No. 39-00011. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

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

06-03117: Custom Processing Services, Inc. (2 Birchmont Drive, Reading, PA 19606-3266) for construction of a product grinding mill controlled by a fabric collector in Exeter Township, **Berks County**. The facility is a non-Title V (State-only) facility. This construction will result in the potential emissions of particulate of 2.4 tons per year. The approval will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

ER-67-05059: American Color Graphics, Inc. (215 North Zarfoss Drive, York, PA 17404-5800) for an Emission Reduction Credit approval of 9.6 tons of VOC resulting from the shut down of the lithographic printing facility in Penn Township, **York County**.

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

14-318-001B: Spectra Wood (2651 Carolean Industrial Drive, State College, PA 16801) for modification of an existing wood furniture finishing operation and to construct an additional spray booth at their facility in College Township, **Centre County**.

The respective wood furniture finishing operation currently consists of three spray booths and associated cleanup operations. The proposed modification is an increase in the amount of VOCs which the finishing operation is allowed to emit from 12 tons in any 12 consecutive month period to 24 tons in any 12 consecutive month period (including the VOC emissions from the new spray booth). Up to 4 tons of the 24 tons per 12 consecutive month period could also be HAPs.

The Department's review of the information contained in the application indicates that the modified finishing operation and new spray booth will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the requirements of 25 Pa. Code § 129.52 and the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department intends to approve the application and issue plan approval for the modification of the wood furniture finishing operation and the construction of the additional spray booth.

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. Each of the spray booths shall be equipped with a full set of spray booth filters whenever the respective booth is in use. Additionally, each booth shall be equipped with instrumentation to monitor the pressure differential across the filters on a continuous basis.

2. Coating/finishing materials must be applied via HVLP or air-assisted spray guns or by hand wiping.

3. The total combined VOC emissions from this facility shall not exceed 24 tons in any 12 consecutive month period and the total combined HAP emissions shall not exceed 4 tons in any 12 consecutive month period.

4. The coating/finishing materials used in this facility shall comply with all applicable VOC content limitations specified in 25 Pa. Code § 129.52 as mixed for application.

5. Stains used in this facility shall have a VOC content no greater than 6.4 pounds of VOCs per gallon of stain as mixed for application.

6. The only oils which may be used are mineral oil, boiled linseed oil or an alternate oil which has a vapor pressure of less than 1 millimeter of mercury at 20°C.

7. Nothing may be mixed with any coating/finishing material used in this facility other than butyl cellosolve which shall be added at a rate not to exceed 2% by volume.

8. Acetone is the only solvent which shall be mixed with wood putties.

9. The only solvent which shall be used for cleanup purposes shall be Sherwin Williams R7K120 lacquer thinner (or alternate material having an equivalent, or lower, VOC and HAP content, as determined by the Department). Additionally, no more than 250 gallons of lacquer thinner shall be used in any 12 consecutive month period.

10. VOC-containing and/or HAP-containing solvents used for spray line cleanup shall be flushed into closed containers. Under no circumstances shall solvent be removed from spray lines by spraying through a spray gun. Rags upon which there is a VOC-containing and/or HAP-containing coating or finishing material, cleanup

solvent, and the like, shall be stored in closed containers when not in actual use. Containers of coating or finishing materials, cleanup solvents, and the like, shall be kept closed when not in actual use.

11. No materials containing methylene chloride, perchloroethylene (tetrachloroethylene) or 1,1,1-trichloroethane (methyl chloroform) shall be used in this facility.

12. Records shall be maintained of the amount of each VOC-containing and HAP-containing material used each month.

14-313-041: Rutgers Organics Corp. (201 Struble Road, State College, PA 16801) for modification of their existing chemical process facility to produce a product identified as ROC7-2000 in College Township, **Centre County**.

The air contaminant emissions from the process facility, as assembled for the production of ROC7-2000, shall be controlled by various condensers, two packed tower scrubbers and a regenerative thermal oxidizer. The resultant emissions will be up to 9.09 tons of VOCs per year, up to 8.71 tons may be HAPs and up to 7.8 tons may be chloroform.

The Department's review of the information contained in the application indicates that the chemical process facility, as assembled for the production of ROC7-2000, will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department intends to approve the application and issue plan approval.

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. The packed power scrubber identified as S0105 shall utilize a minimum 5% sulfuric acid solution as the scrubbing solution at a recirculation rate of not less than 20 gallons per minute. The permittee shall sample and analyze the scrubbing solution after each batch of ROC7-2000 to ensure that the sulfuric acid concentration of the solution is at or above 5%.

2. Use of the packed tower scrubber identified as S0104 is voluntary and may be discontinued at any time.

3. Glycol-cooled condensers shall be supplied with glycol coolant having a temperature no greater than 2°C. The water-cooled condenser serving the process vessel identified as "Ua" shall be supplied with cooling water having a temperature no greater than 28.33°C.

4. The packed tower scrubber identified as S0105 shall be equipped with instrumentation to monitor the scrubbing solution flow rate on a continuous basis.

5. The permittee shall equip the condensers with instrumentation to monitor coolant inlet temperature on a continuous basis.

6. The chemical process facility, as assembled for the production of ROC7-2000, shall not emit more than 9.09 tons of VOCs, 8.71 tons of combined HAPs or 7.8 tons of chloroform in any 12 consecutive month period.

7. The condensers and the packed power scrubber identified as S0105 shall not be used for the simultaneous control of air contaminant emissions from this process and any other process at the facility.

8. No more than 154,000 pounds of ROC7-2000 shall be produced in any 12 consecutive month period.

9. Under no circumstances shall any chloroform be vented to the regenerative thermal oxidizer.

10. The storage vessels identified as T0038, T0052 and T0043 shall comply with the requirements of 25 Pa. Code § 129.57.

11. The particulate matter emissions from the double cone dryer identified as "AE" shall be controlled by two in-line cartridge filters.

12. Records shall be maintained which are sufficient to demonstrate compliance with all emission limitations, production limitations, coolant temperature requirements, and the like, specified in this plan approval.

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

62-00017: United Refining Co. (P. O. Box 780, Warren, PA 16365) for issuance of a plan approval in accordance with 25 Pa. Code §§ 127.44 and 127.83 and 40 CFR 52.21(l)(2) and (q) in the City of Warren, **Warren County**. The facility currently has a Title V permit No. 62-017G. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

Plan Approval No. 62-017G is necessary to achieve compliance with the Compliance Plan for Low Sulfur Gasoline approved by the EPA on November 16, 2001. The project covers the Phases II and III of the Compliance Plan and will reduce sulfur in gasoline and diesel fuels. The project includes installation of a Delayed Coker, Material Handling of the Coke, an FCC Hydrotreater, Hydrogen Reformer, Hydrogen Flare, SRU3/ARU3 (Sulfur Recovery Unit 3/Amine Regeneration Unit 3), Pit Flare and modification of the North Crude Heater with installation of Low NOx Burners (LNB). The existing tail gas treatment unit (TGTU) will be modified to accommodate the increased throughput. The trays in the quench tower will be modified, piping will be modified, heat transfer and pump modifications will also occur. The SRU2 (existing) will not be modified and will continue feeding the TGTU. The new SRU3 will feed the TGTU in parallel with the SRU2. The refinery upgrade project will allow United to produce lower sulfur fuels while increasing crude capacity by 5,000 barrels per day (bpd) and allow for the processing of heavier asphaltic crudes. Applicable requirements for the proposed application include the Prevention of Significant Deterioration (PSD) regulations (40 CFR 52.21). This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

NOx and CO emissions will increase by 36.2 TPY and 223.6 TPY, respectively, from the 2000/2001 baseline emissions. VOC, Total Suspended Particulates (TSP), PM10 and SO₂ emissions will decrease by 26.7 TPY, 15.7 TPY, 22.6 TPY and 498 TPY, respectively, from the 2000/2001 baseline emissions.

According to 40 CFR 52.21(l)(2), an alternative to the air quality models specified in 40 CFR Part 51, Appendix W (relating to Guideline on Air Quality Models) may be used to model air quality if the EPA approves the substitute model. Use of the substituted model must also be subject to notice and an opportunity for public comment.

As an alternative to EPA Guideline Models, ISC-Prime was used in the air quality analysis for the proposed refinery project. Specific approval for the use of ISC-Prime in this analysis was granted by the EPA Region III Administrator and was consistent with the recommendations under section 3.2 of Appendix W to 40 CFR Part 51. The Department is expressly requesting written comments on the ISC-Prime, the EPA-approved substitute model used for the refinery project. Under 25 Pa. Code §§ 127.44 and 127.83 and 40 CFR 52.21(l)(2) and (q), the Department is soliciting written comments on the use of the nonguideline model, ISC-Prime, approved by the EPA.

Sources subject to PSD regulations must meet certain conditions prior to the issuance of a preconstruction/modification approval. These conditions are briefly described as follows. For exact text, refer to the regulations.

1. The best available control technology must be utilized to limit the emissions of all pollutants regulated under the act, which are emitted in "significant" amounts. This determination is made on a case-by-case basis taking into account energy, environmental and economic impacts and other costs.

2. A source impact analysis must be performed to demonstrate that the proposed emissions would not cause or contribute to air pollution in violation of any National Ambient Air Quality Standard or any maximum allowable increase over baseline concentrations.

Information submitted by United Refining Company indicates that the emissions from the source shall comply with all applicable requirements of PSD regulations and any applicable requirements contained in the State Implementation Plan as approved for the Commonwealth by the EPA.

The permit would be subject to the following conditions.

1. The construction of new sources and modifications to existing sources shall be completed in accordance with the plan submitted with the application (as approved herein).

2. If construction cannot be completed before the expiration date of this plan approval, then to continue construction, an extension of the expiration date must be obtained. Request for extensions must be postmarked at least 30 days prior to the expiration date. The Department cannot issue an extension after the expiration date.

3. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met:

a) The Department must receive written notice from the owner/operator of the completion of construction and the operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice should state when construction will be completed and when the operator expects to commence operation.

b) Operation is authorized only to facilitate the startup and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an operating permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c) This condition authorizes temporary operation of the sources for a period of 180 days from the date of startup, provided the Department receives notice from the operator under subpart (a).

d) The owner/operator may request an extension if compliance with all applicable regulations and Plan Ap-

proval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and include a detailed schedule for establishing compliance and the reasons why compliance was not established.

e) The notice submitted by the Owner/Operator under subpart (a), prior to the expiration of this Plan Approval, shall modify the Plan Approval expiration date. The new Plan Approval expiration date shall be 180 days from the commencement of operation.

4. This project is being conducted to comply with the Compliance Plan for Low Sulfur Gasoline approved by the EPA on November 16, 2001, and the ultra low sulfur diesel requirements of 40 CFR Part 80 Subpart I. The project covers the Phases II and III of the Compliance Plan and will reduce sulfur in gasoline and diesel fuels. The project includes installation of a Delayed Coker, Material Handling of the Coke, an FCC Hydrotreater, Hydrogen Reformer, Hydrogen Flare, SRU3/ARU3, Pit Flare and modification of the North Crude Heater with installation of LNBS. The existing TGTU will be modified to accommodate the increased throughput. The trays in the quench tower will be modified, piping will be modified, heat transfer and pump modifications will also occur. The SRU2 (existing) will not be modified and will continue feeding the TGTU. The new SRU3 will feed the TGTU in parallel with the SRU2. The refinery upgrade project will allow United to produce lower sulfur fuels while increasing refinery crude capacity by 5,000 bpd and allow for the processing of heavier asphaltic crudes.

5. The sources are subject to 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.

6. If the construction is not commenced within 18 months of the issuance of the plan approval or if there is more than an 18-month lapse in construction, a new plan approval application that meets the requirements of 25 Pa. Code Chapter 127, Subchapters B, D and E shall be submitted.

7. These sources where applicable are subject to Subparts J, GGG and QQQ of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this subpart; 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to Director; Air, Toxics and Radiation Division; US EPA, Region III; 1650 Arch St.; Philadelphia, PA 19103-2029.

8. These sources where applicable are subject to Subparts CC and UUU of the National Emission Standards for Hazardous Air Pollutants and shall comply with all applicable requirements of this Subpart; 40 CFR 63.13 requires submission of copies of all requests, reports, applications, submittals and other communications under Part 63 to both the EPA and the Department. The EPA copies shall be forwarded to Director; Air, Toxics and Radiation Division; US EPA, Region III; 1650 Arch St.; Philadelphia, PA 19103-2029.

9. The applicant shall comply with 40 CFR 60.104(a)(1) pertaining to the standards of sulfur oxides by not burning any refinery fuel gas in the new and existing combustion units that has hydrogen sulfide in excess of 0.10 gr/dscf. In addition, the applicant shall comply with 40 CFR 60.105(a)(4) and 60.105(e)(3)(ii) pertaining to monitoring of emissions and operations. Also the appli-

cant shall comply with 40 CFR 60.106(e)(1) pertaining to test methods and procedures and the reporting and recordkeeping requirements of 40 CFR 60.107(d)—(f).

10. Pumps in VOC service with a vapor pressure greater than 1.5 psi shall be visually inspected weekly and records kept indicating whether leaking or not leaking. If the pumps are leaking, they shall be repaired within 15 days. New pumps and compressors in VOC service with a vapor pressure greater than 1.5 psi shall be installed with a mechanical seal unless an alternative approval is obtained from the Department. Recordkeeping shall begin for new sources within 6 months of startup and shall be maintained by the facility for a minimum of 5 years and the information shall be available to the Department upon request (25 Pa. Code § 129.55(d)).

11. During turnaround, startup and shutdown, purging from the new sources shall be directed to a flare until the pressure falls below 19.7 psia to demonstrate compliance with 25 Pa. Code § 129.55(d).

12. The permittee shall use a portable flame ionization detector to monitor the components in VOC service on a quarterly basis. The level of VOC read by the detector shall be recorded for each component in the LDAR report. Any component found leaking shall be included in the LDAR report along with the date and date of repair. Any component not monitored according to the LDAR schedule shall be reported. In addition, any component not repaired in the required time frame shall be reported. The report shall be compiled on a quarterly basis (25 Pa. Code § 129.58, 40 CFR 60.590—60.594 and 63.640—63.653).

13. The permittee shall visually inspect all new wastewater drains initially and monthly thereafter to ensure they are properly sealed to prevent any excess VOC emissions from the drains. Repairs necessary shall be conducted within 24 hours of detection. The visual inspections shall be recorded. In addition, failures shall be recorded. The permittee shall submit a semiannual MACT report of any failed drains and deviations of repairs. The report shall also include any inspections not conducted (40 CFR 60.690—60.699).

14. The permittee shall conduct benzene samples in the wastewater system as close to the generating point for the new sources on a quarterly basis and report the data to the Department and the EPA on an annual basis (40 CFR 61.340—61.359).

15. The permittee shall monitor the new hydrogen flare and pit flare to ensure a continuous pilot light is maintained. The flare shall be monitored with an ultraviolet monitor or thermocouple. Hourly data shall be recorded to indicate if the pilot light is operational. Deviations shall be monitored and reported every 6 months in the Title V deviation report. The reporting shall commence no later than 6 months from startup of the flare (40 CFR 63.644).

16. The new SRU3 shall monitor the SO₂ emissions using the existing SO₂ CEMS unit on the incinerator stack. The monitor shall be operated and maintained in accordance with the Department's "Continuous Source Monitoring Manual." Continuous monitoring shall be conducted in accordance with 25 Pa. Code Chapter 139 and approved by the Department. Reporting information for the monitor shall be based on an hourly average and reported to the Department quarterly. The CEMS unit shall be certified on an annual basis. The permittee shall

continue to conduct daily calibrations. Maintenance, analyzer failures, invalid data periods, deviation periods, causes of the deviations and corrective measures shall be recorded on a daily basis. The reporting shall reflect the new SRU3 no later than one quarter after start up of the unit (40 CFR 60.100—60.109).

17. The project will involve fuel switches to primarily refinery gas only for several sources. The following table lists the emission limits for the new, modified, fuel affected and other existing sources:

<i>ID</i>	<i>Source</i>	<i>NO_x</i> #/hr/TPY	<i>CO</i> #/hr/TPY	<i>VOC</i> #/hr/TPY	<i>TSP</i> #/hr/TPY	<i>PM₁₀</i> #/hr/TPY	<i>SO₂</i> #/hr/TPY
31	Boilers 1, 2, 3 (gas) and (oil)	7.63 26.3	3.86 16.3	0.24 1.0	2.86 7.20	2.54 6.40	73.74 169.30
34	Boiler 4	23.77 68.8	14.02 40.6	0.92 2.7	1.27 3.7	1.27 3.7	4.58 13.3
35	Boiler 5	3.92 17.2	3.28 14.4	0.22 0.9	0.30 1.3	0.30 1.3	1.07 4.7
42	FCC Charge Heater	1.80 7.5	3.69 15.4	0.24 1.0	0.34 1.4	0.34 1.4	1.21 5.0
44	DHT1 Heater	0.29 1.3	0.25 1.1	0.02 0.1	0.02 0.1	0.02 0.1	0.08 0.4
49	East Reformer Heater (gas) and (oil)	12.63 50.3	4.69 18.7	0.3 1.2	2.2 9.2	2.0 8.2	53.36 220.5
50	North Crude Heater (gas) and (oil)	6.68 29.2	9.17 40.6	0.6 2.6	2.35 10.3	2.16 9.4	46.22 202.5
50A	South Crude Heater (gas) and (oil)	21.62 94.6	6.99 30.6	0.42 1.8	6.84 30.0	6.05 26.5	180.79 791.8
51	Pretreater Heater (oil) and (gas)	5.1 21.6	2.35 10.1	0.14 0.6	2.12 8.8	1.88 7.80	55.47 230.3
52	West Reformer Heater	8.49 34.2	5.08 20.5	0.33 1.3	0.46 1.9	0.46 1.9	1.66 6.7
53	Sat Gas Reboiler	1.86 8.2	1.56 6.8	0.10 0.4	0.14 0.6	0.14 0.6	0.51 2.2
54	Vacuum Heater	1.10 4.8	3.77 16.5	0.25 1.1	0.34 1.5	0.34 1.5	1.23 5.4
55	DHT2 Heater	2.46 10.5	3.36 14.4	0.22 0.9	0.31 1.3	0.31 1.3	1.10 4.7
56	Prefrac Reboiler 2	1.38 5.8	1.89 7.9	0.12 0.5	0.17 0.7	0.17 0.7	0.62 2.6
57	T-241 Heater	1.27 4.3	12.2 41.1	0.07 0.2	0.10 0.3	0.10 0.3	0.35 1.2
101	FCC Regenerator	8.85 38.8	13.44 58.8	0.0 0.0	18.96 83.0	12.36 54.1	85.00 372.3
102	Combo Flare	2.24 9.8	1.33 5.8	1.02 4.5	0.12 0.5	0.12 0.5	0.43 1.9
102	FCC Flare	2.24 9.8	1.33 5.8	1.02 4.5	0.12 0.5	0.12 0.5	0.43 1.9
104	West FCC KVG	1.20 5.3	0.74 3.3	0.02 0.1	0.00 0.0	0.00 0.0	0.01 0.01
105	Middle FCC KVG	0.29 1.3	0.44 1.9	0.44 1.9	0.00 0.0	0.00 0.0	0.14 0.6
106	East FCC KVG	0.29 1.3	0.44 1.9	0.44 1.9	0.00 0.0	0.00 0.0	0.14 0.6
107	Sat Gas KVG	2.15 9.4	2.65 11.6	1.47 6.5	0.00 0.0	0.00 0.0	0.14 0.6
108	SRU2 Incinerator	2.10 9.3	8.40 36.8	2.10 9.2	0.00 0.0	0.00 0.0	12.00 52.6
108	SRU2 Hot Oil Heater	0.39 1.7	0.39 1.7	0.03 0.1	0.04 0.2	0.04 0.2	0.09 0.4

<i>ID</i>	<i>Source</i>	<i>NOx</i> #/hr/TPY	<i>CO</i> #/hr/TPY	<i>VOC</i> #/hr/TPY	<i>TSP</i> #/hr/TPY	<i>PM10</i> #/hr/TPY	<i>SO₂</i> #/hr/TPY
211	Vapor Combustion Unit	7.5	18.8	18.8	0.64	NA	0.81
		15.4	38.4	38.4	2.8		0.76
226	Delayed Coker Heater	4.04	8.28	0.55	0.75	0.10	2.71
		17.7	36.3	2.4	3.3	0.4	11.9
227	FCC Feed Hydrotreater	1.82	7.46	0.49	0.68	0.09	2.44
		7.7	31.6	2.1	2.9	0.4	10.3
228	Hydrogen Reformer	13.76	28.21	1.03	1.60	1.60	9.22
		60.3	123.6	4.5	7.0	7.0	40.4
229	Ground Flare	0.88	1.07	0.82	0.10	0.10	0.35
		3.9	4.7	3.6	0.4	0.4	1.5
231	Hydrogen Flare	0.44	0.53	0.41	0.05	0.05	0.18
		1.9	2.3	1.8	0.2	0.2	0.8
232	Baghouse	NA	NA	NA	0.14	0.10	NA
					0.6	0.6	
	Tank Emissions	NA	NA	24.57 107.6	NA	NA	NA
	Fugitive Emissions from Components	NA	NA	58.08 254.4	NA	NA	NA
	Fugitive Cooling Water Tower	NA	NA	0.25 1.1	0.14 0.6	0.10 0.6	NA
	Wastewater Fugitives	NA	NA	73.11 320.2	NA	NA	NA
	Particulate Fugitives (handling)	NA	NA	NA	0.46 2.0	0.30 1.2	NA

18. The permittee shall limit the SO₂ emissions from the sources burning refinery fuel gas to 0.0268 lb/mmBtu and the H₂S concentration in the fuel gas to 162 ppm.

19. The ton per year limits in Condition 17 table shall be based on a 12-month rolling basis. The permittee shall keep records of the emissions for each month and maintain these emissions on a 12-month rolling basis. The records shall be maintained by the facility for a minimum of 5 years and made available to the Department upon request.

20. The permittee shall comply with the requirements of the NOx Budget Trading Program identified in 25 Pa. Code Chapter 145, Subchapter A for the new Hydrogen Reformer.

21. An NOx monitor shall be installed in the exhaust stack for the Hydrogen Reformer. The monitor shall be operated and maintained in accordance with the Department's "Continuous Source Monitoring Manual." Continuous monitoring shall be conducted in accordance with 25 Pa. Code Chapter 139 and approved by the Department. Reporting information for the monitor shall be based on an hourly average and reported to the Department quarterly. The CEMS unit shall be certified on an annual basis (25 Pa. Code §§ 123.51 and 145.1—145.85).

22. Within 30 days of the notice required by Condition 3(a), a test procedure and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples shall be submitted to the Department.

23. Within 60 days of the notice required by Condition 3(a) and achieving normal production, but not later than 180 days of the initial startup, stack tests shall be performed in accordance with the provisions of 25 Pa. Code Chapter 139 to show compliance with the

emission limits for NOx, CO, VOC, TSP, PM10 and SO₂ in Condition 17 for the Delayed Coker Unit, FCC Feed Hydrotreater and Hydrogen Reformer and the North Crude Heater. The stack tests shall be performed while the aforementioned source is operating at the maximum rated capacity as stated on the application.

24. At least 2 weeks prior to the test, the Department shall be informed of the date and time of the test.

25. Within 60 days after completion of the test, two copies of the complete test report, including all operating conditions, shall be submitted to the Department for approval.

26. During the initial compliance tests for the North Crude Heater, the combined emissions from the North Crude Heater and the South Crude Heater may be tested due to the fact that the two Crude Heaters share a common stack.

27. Subsequent to the initial compliance tests, the applicant shall be required to conduct annual tests on the North and South Crude Heaters and compliance may be determined using a mass balance for NOx emissions.

28. Subsequent to the initial compliance tests, the applicant shall be required to conduct emission tests on the North and South Crude Heaters at least once every 5 years for SO₂, CO, VOC and TSP emissions.

29. Subsequent to the initial compliance test, the Delayed Coker Unit, FCC Feed Hydrotreater, Hydrogen Reformer, DHT1, pretreater heater, Sat Gas Reboiler, Vacuum heater, DHT2, Prefrac Reboiler 2, T-241 heater, FCC regenerator, West, Middle, East and Sat Gas KVGs the SRU2 incinerator, the SRU2 hot oil heater, the Vapor Combustion Unit and the West Reformer heater shall be tested at least once every 5 years for NOx, CO, VOC, SO₂ and TSP emissions.

30. Boilers 1, 2, 3 and 5 and the FCC Charge heater shall be tested on an annual basis and may use a Department approved portable analyzer in accordance with the RACT permit to determine compliance with the NOx emission limits.

31. Boilers 1, 2, 3 and 5 and the FCC Charge heater shall conduct emission tests for CO, VOC, SO₂ and TSP at least once every 5 years.

32. The combustion units previously mentioned shall only burn refinery fuel gas except for boilers 1, 2 and 3, the east reformer heater, the north and south crude heaters and the pretreater heater, which may burn either refinery fuel gas or oil as indicated in the previous table. The H₂S content of the refinery gas shall not exceed 0.1 gr/dscf (40 CFR 60.100—60.109).

33. The applicant will be required to maintain records of the fuel usage of each fuel type on a daily basis for each combustion unit and to use the fuel usage combined with the tested emission rate in lb/mmBtu of the most recent emission test to calculate the total annual emissions of each pollutant, respectively. Twice a week a Gas Chromatograph (GC) analysis of the fuel gas shall be conducted to provide the specific heat content for the refinery gas. Records of the GC analysis shall be maintained by the facility for a minimum of 5 years. The annual totals indicated in the previous table are based on a 12-month rolling basis. The records shall be maintained on a 12-month rolling basis and kept by the facility for a minimum of 5 years. The records shall be made available to the Department upon request. In addition to fuel usage, the applicant shall record feed rates to each applicable unit and the analysis of the heat content of the fuel on a daily basis.

34. The fuel oil burned for the boilers, east reformer heater and crude heater shall continue to be sampled in accordance with the testing requirements for the sulfur content as indicated in the Title V Operating Permit.

35. The facility shall use the screening value of 1,000 ppmv to determine VOC leaks for valves, flanges, sampling connections and open-ended valves on new units. The facility shall use the screening value of 2,000 ppmv for heavy and light liquid pump seals on new units. The new components are regulated by 40 CFR Part 63 Subpart CC which incorporates 40 CFR Part 63 Subpart H requirements for all the new fugitive components. The screening value of 2,500 ppm as a leaking component shall be used for existing fugitive components to calculate the fugitive emissions from components.

36. The facility shall maintain daily records of the tank throughput for the following tanks (based on a 12 month rolling total):

<i>Tank</i>	<i>Tank</i>
409	225
410	329
234	401
236	431
337	432
240	434
647	244
648	245
326	430
224	315

37. In addition to the daily recordkeeping required by Condition 36 (pertaining to the tank throughput), the permittee shall record the throughput of the waste water system components (including the combo catch, alky

neutralization pit, isomerization neutralization pit, API traps, Wemcos and the stormwater tank). The permittee shall maintain monthly records of the throughput (pertaining to both tanks and waste water) based on a 12-month rolling basis. The records shall be kept by the facility for a minimum of 5 years and made available to the Department upon request.

38. During the turnaround downtime for maintenance of the TGTU, the facility may send the acid gas to the flare for up to 30 days in a 2-year rolling period. During this time, the acid gas from the SRU units shall be sent to the flare for destruction and the refinery charge shall be reduced and sweet crude (low sulfur) shall be run to reduce emission impacts. A notice 60 days in advance shall be provided to the Department before any TGTU turnaround will occur. The notification shall contain at a minimum, the estimated date of the start of the turnaround, the projected duration of the turnaround and a description of the maintenance that will occur during the turnaround. The facility shall obtain approval for each planned outage of the TGTU prior to the turnaround.

39. The conveyors associated with the coke transfer shall be partially enclosed and the emissions shall be ducted to the baghouse. The Department reserves the right to require additional measures (such as full enclosure) pending inspection of the sources in operation. The baghouse shall be operated during all times that the conveyors are in operation. The coke piles shall be wetted to control fugitive emissions. The coke storage and handling shall be maintained at least 12% moisture. The storage and handling shall be monitored at least once per operator shift for the moisture content. The facility shall propose a method of monitoring the moisture content and the Department prior to start-up of the coker operations must approve the method.

40. The truck loading areas and the plant delivery roads shall be paved with asphalt, concrete or an equivalent surface approved by the Department. Road dust shall be controlled by a road sweeper or the like and the use of water sprays, oils or other dust surfactants including 250 feet of public highway on either side of the access road.

41. The permittee shall conduct daily inspections of the operations area of the facility, during periods when the plant is operational, to observe for the presence of fugitive emissions and visible emissions being emitted into the outdoor atmosphere. During the inspection, the permittee shall check for fugitive emissions from points such as the coke material conveyor, storage piles and the roadways. The inspection shall include an observation of control devices for leakage or operational problems. Corrective action shall be taken to return problems discovered to the normal state. A daily inspection checklist shall be kept to record discovered emissions and corrective actions taken. The inspection records shall be kept onsite and made available to the Department upon request. Roadways in the coke operations area of the facility shall be swept daily, weather permitting or as necessary with a sweeper truck or similar device to mitigate dust build up. The facility shall conduct a visual determination of fugitive emissions using EPA Method 22 on a daily basis. There shall be no conveyor-to-conveyor transfer points unless controlled by a baghouse and approved by the Department prior to installation.

42. Trucks hauling material off of the facility property shall remove excess material from the tires of the vehicles with a water spray or equivalent prior to leaving the facility. The plant shall post a sign stating and shall enforce the requirement that "All loaded trucks entering

or exiting plant property shall be properly tarpulin covered." The plant shall post and shall enforce a speed limit of 15 mph or less on all in-plant roads.

43. Front-end loaders used to transfer and load coke material shall maintain a minimal amount of drop from front-end loader into bins or trucks so as to prevent fugitive emissions.

44. Coke material shall not be stockpiled or loaded in any area that is not enclosed and adequately watered by a pressurized water truck and/or sprinkler system. The coke material shall be stored in a containment area with walls at least 2 feet higher than the emergency coke pile height to prevent fugitive emissions from becoming airborne.

45. The Department reserves the right to request upwind/downwind dustfall monitoring to be conducted by the facility.

46. A magnehelic gauge shall be permanently installed and maintained at a conveniently readable location to indicate the pressure drop across the new baghouse.

47. Twenty percent of the total number of bags in the baghouse is required to be on hand.

48. The sources and associated control devices shall be maintained and operated in accordance with the manufactures specifications and in accordance with good air pollution control practices.

49. The permittee shall perform weekly preventive maintenance inspections of the fabric collector and check the pressure drop across the collector on a daily basis.

50. The permittee shall maintain a log of all preventative maintenance inspections of the fabric collector. The inspection log at a minimum shall contain the dates of the inspections, any potential problems or defects that were encountered, the steps taken to correct them and the measured pressure drop across the collector. The inspection logs shall be maintained at the facility for a minimum of 5 years and made available to the Department upon request.

51. The flares (ground and hydrogen) shall be designed and operated in accordance with the general control device requirements contained in 40 CFR 60.18.

52. Records shall be maintained for a minimum of 5 years and be in an available format for review by the Department.

53. Exceedances of the permitted limits in Condition 17 shall be reported semi-annually in the Title V required monitoring report (Section B Condition No. 023).

54. The facility shall supply all vendor information that was indicated in the application as "to be determined later" for all sources and control devices at least 30 days prior to installation of those sources/controls. Examples of this information includes manufacturer, model, filter dimensions, pressure drop, and the like.

55. The Department shall administratively amend the owner/operators Title V Operating Permit No. TV-00017 to authorize operation of the sources after startup. Issuance of an operating permit is contingent upon satisfactory compliance with Conditions 1—54, upon the source being constructed and operated as stated on the application and upon the satisfactory demonstration that the emissions from the source will not be in violation of applicable rules and regulations of the Department.

56. Information required to be submitted as part of the conditions should be submitted to Devendra Verma, New Source Review Chief, Air Quality, 230 Chestnut St., Meadville, PA 16335.

The Department has determined that the application reflects the use of Best Available Control Technology, as required by the PSD regulations.

The facility will trigger PSD for CO pollutant only. One year of site-specific surface meteorological data was used in the model. Data was collected at two levels, 30 meters and 70 meters, from August 1, 1988, through July 31, 1989. The data collected at 30 meters was used in this analysis because it more closely represents the release heights of United's sources. The 30-meter data included temperature, wind direction, wind speed and sigma-theta. Stability class was calculated from the sigma-theta data. Mixing heights were derived from upper air data collected at Pittsburgh International Airport, located approximately 175 kilometers southwest of United.

The preliminary analysis predicts the maximum CO impacts to be below the Class II area significance levels. This is sufficient to demonstrate that the proposed modification will not cause or contribute to a violation of the CO NAAQS. A "full" impact NAAQS demonstration is therefore not necessary. There is no increment standard for CO. The results of the CO preliminary analysis are presented in the following table.

Preliminary Analysis Results for CO

<i>Pollutant</i>	<i>Averaging Period</i>	<i>Highest Modeled Impact µg/m³</i>	<i>Class II Area Significance Level µg/m³</i>
CO	1 hour	804.7	2,000
	8 hour	352.6	500

No visibility impairment analysis was performed since CO is not associated with degradation in visibility. No significant impact on soils and vegetation is anticipated. There is no expected impact on air quality from residential, commercial and industrial growth associated with the project.

A Class I Area impact analysis was not necessary since the nearest Federal Class I Area is over 300 km away and beyond the generally accepted range of CALPUFF, the recommended long-range transport model.

The Department has made a preliminary determination to approve the plans submitted by United Refining Company subject to the conditions listed. A final determination will be made based on additional inputs received.

The Department will consider written comments received within 30 days of the publication of this notice. Persons may oppose this preliminary determination by filing a written notice with the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335, Attn.: Devendra Verma.

Each protest shall include the name, address and telephone number of the person filing each protest; identification of the proposed plan approval issuance being opposed; and a concise statement of the reasons for objection to the issuance of the plan approval and the relevant facts upon which the objections are based.

Copies of the application and the modeling analysis used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA. Appointments for scheduling a review may be made by calling Linda Conway, (814) 332-6340.

If sufficient public interest is generated, the Department, prior to the issuance of the plan approvals may in its discretion, hold a public meeting or fact-finding confer-

ence, at which time persons may appear and give testimony. If it is decided to hold a public hearing, a notice to this effect shall be published in the local newspaper giving the place and time of a hearing.

For any additional information, contact Devendra Verma or Larry Wonders at (814) 332-6940 or write to the Department at the Meadville address previously given.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact the Department or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

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

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.

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

21-05031: Community Refuse Service, Inc.—Cumberland County Landfill (620 Newville Road Newburg, PA 17240) for operation of a refuse disposal facility in Hopewell and North Newton Townships, **Cumberland County**. This action is a renewal of the Title V Operating Permit issued in 1998. The facility's major sources of emissions include fugitive particulate matter and landfill gasses. The primary emissions also include combustion products from the flare used as a control device for the landfill gasses, which primarily emit NO_x and CO from combustion of the landfill gasses as well as VOCs. The Title V Operating Permit contains monitoring, record-keeping and reporting requirements 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; Contact: Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.

28-05034: Grove U. S. LLC (1565 Buchanan Trail East, Shady Grove, PA 17256) for operation of a chrome plating system controlled by mist eliminators and mesh pads in Quincy Township, **Franklin County**. The system is subject 40 CFR Part 63 Subpart N—National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chrome Anodizing Tanks. The facility has the potential to emit more than 10 tons of chromium annually. The State-only permit will contain emission limits, work practice standards, monitoring, recordkeeping and reporting provisions to ensure the facility complies with the applicable air quality requirements.

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

43-00289: Spang and Co.—Power Electronics Division (5241 Lake Street, Sandy Lake, PA 16145) for a Natural Minor operating permit at their facility in Sandy Lake Township, **Mercer County**. The facility's primary source of emissions is from surface coating operations.

25-00883: Township of Millcreek (3608 W. 26th Street, Erie, PA 16506) for a Natural Minor Operating Permit for emissions from a hot mix asphalt plant in their Millcreek Township, **Erie County** facility.

10-00152: Triangle Gasoline Co.—Butler (1100 North Main Street Extension, Butler, PA 16003) for a State-only (Natural Minor) Operating Permit for operation of a bulk gasoline plant and vapor recovery system in the City of Butler, **Butler County**. This facility was previously operated under Permit No. 10-312-0004A.

43-00010: Jamestown Paint Co. (108 Main Street, Jamestown, PA 16134) for a Natural Minor Operating Permit for their facility in the Borough of Jamestown, **Mercer County**. The facility's primary emissions are from the storage and processing of VOCs used in the paint making process.

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

S95-071: General Electric International, Inc. (1040 East Erie Avenue, Philadelphia, PA 19124) for repair of industrial transformers, retrofitting and refilling of railroad transformers, large motor repair and rental of energy producing and HVAC equipment in the City of Philadelphia, **Philadelphia County**, to incorporate applicable regulations for three degreasers. There is no increase in actual emissions. The synthetic minor operating permit was originally issued on September 6, 2002.

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); and 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 the 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 the application is available for inspection at the District Mining Office indicated before each application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, or 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 same address 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 (relating to public

notices of filing of permit applications, opportunity for comment and informal conferences).

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 to the previous, 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 which have requested review of the 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 those requirements.

Written comments, or objections should contain the name, address and telephone number of persons submitting comments, or objections; 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; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

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

54901302T. Orchard Coal Company, Inc. (214 Vaux Avenue, Tremont, PA 17981), transfer of an existing underground mine operation from E & E Fuels in Hegins Township, **Schuylkill County** affecting 5.0 acres, receiving stream: West Branch Rausch Creek. Application received March 28, 2003.

McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.

33961302. NPDES Permit PA0214868, AMRIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to transfer the permit for the Sandy Lands Mine in McCalmont Township, **Jefferson County**, from Laurel Energy, L. P., Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received March 11, 2003.

32901602. NPDES Permit PA0214442, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to transfer the permit for the I-22 Tipple in Burrell Township, **Indiana County**, from I-22 Processing, Inc., Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received March 11, 2003.

30841309. NPDES Permit PA0214825, Cobra Mining, LLC (P. O. Box 40, 178 Chess Mine Road, Dilliner, PA 15327), to transfer the permit for the Dunkard Mine

No. 2 in Dunkard Township, **Greene County**, from Dunkard Mining Company, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional charges. The first downstream potable water supply intake from the point of discharge is N/A. Application received March 11, 2003.

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

33990109 and NPDES Permit No. PA0241539. Strishock Coal Company (220 Hillcrest Drive, DuBois, PA 15801). Renewal of an existing bituminous surface strip and auger operation in Perry Township, **Jefferson County** affecting 66.0 acres. Receiving streams: two unnamed tributaries to Perryville Run and Perryville Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received April 4, 2003.

61970102 and NPDES Permit No. PA0227595. Rusnak Coal Company (R. D. 1, Box 44, Grove City, PA 16127). Renewal of an existing bituminous surface strip and auger operation in Irwin Township, **Venango County** affecting 54.5 acres. Receiving streams: one unnamed tributary to Scrubgrass Creek and Wolf Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received April 9, 2003.

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

11860104 and NPDES Permit No. PA0597724. Cooney Brothers Coal Company, P. O. Box 246, Crescon, PA 16630, permit renewal for reclamation only and for continued restoration of a bituminous surface and auger mine in Conemaugh Township, **Cambria County**, affecting 456.0 acres. Receiving streams: Bear Run (CWF) and unnamed tributaries to/and Little Conemaugh River (WWF). There are no potable water supply intakes within 10 miles downstream. Application received April 4, 2003.

56860106 and NPDES Permit No. PA0597716. Three S Coal Company, P. O. Box 337, Stoystown, PA 15563, permit revision to add 8.5 acres to the bituminous surface/auger mine and for a stream encroachment to mine up to the 25 foot barrier of Whiskey Run in Shade Township, **Somerset County**. Total SMP acres goes from 57.5 to 66.0. Receiving streams: unnamed tributary to and Coal Run and Dark Shade Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 27, 2003.

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

65940104 and NPDES Permit No. PA0200824. M. B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15717). Renewal application for reclamation only of a bituminous surface mine located in Donegal Township, **Westmoreland County**, affecting 98 acres. Receiving stream: unnamed tributary to Fourmile Run (TSF). There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received April 9, 2003.

03020108 and NPDES Permit No. PA0250198. Seven Sisters Mining Co., Inc. (P. O. Box 300, 200 U. S. Route 22, Delmont, PA 15626-0300). Revision application to the erosion and sedimentation controls for an existing

bituminous surface mine located in South Bend Township, **Armstrong County**, affecting 183.5 acres. Receiving streams: unnamed tributaries to Crooked Creek (WWF). There is no potable water supply intake within 10 miles downstream from the point of discharge. Revision application received April 14, 2003.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

17950102 and NPDES Permit No. PA0220001. Hill-top Coal Company, 12 Dutchtown Road, Houtzdale, PA 16651. Transfer of an existing bituminous surface mine permit from Cougar Contracting, Inc. The permit is located in Bigler Township, **Clearfield County** and affects 25 acres. Receiving streams: Alexander Run, Japling Run and Upper Morgan Run. Application received March 13, 2003.

17940119 and NPDES Permit No. PA0219959. Hill-top Coal Company, 12 Dutchtown Road, Houtzdale, PA 16651. Transfer of an existing bituminous surface mine permit from Cougar Contracting, Inc. The permit is located in Bigler Township, **Clearfield County** and affects 27.8 acres. Receiving streams: Alexander Run, Japling Run and Upper Morgan Run. Application received March 13, 2003.

Coal Applications Returned

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

16000104 and NPDES Permit No. PA0241814. Milestone Crushed, Inc. (521 South Street, Clarion, PA 16214). Commencement, operation and restoration of a bituminous strip operation in Richland Township, **Clarion County** affecting 107.2 acres. Receiving streams: unnamed tributary to Turkey Run. Application received August 11, 2000. Permit Returned: April 9, 2003.

Noncoal Permits Received

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

37030302. Neshannock Sand & Gravel, Inc. (R. R. 6, Box 344, New Castle, PA 16101). Commencement, operation and restoration of a sand and gravel operation in Neshannock and Pulaski Townships, **Lawrence County** affecting 9.5 acres. Receiving streams: unnamed tributary to the Shenango River (WWF). The first downstream potable water supply intakes from the point of discharge is the Pennsylvania American Water Company. Application to include a landuse change from forestland to pastureland or land occasionally cut for hay. Application received April 7, 2003.

16030302 and NPDES Permit No. PA0242365. IA Construction Corporation (P. O. Box 8, Concordville, PA 19331). Commencement, operation and restoration of a limestone and incidental coal operation in Richland Township, **Clarion County** affecting 129.5 acres. Receiving streams: two unnamed tributaries to Turkey Run, Turkey Run to Clarion River (HQ-CWF) and two unnamed tributaries to Clarion River (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application to include a landuse change from forestland to unmanaged natural habitat on the Raymond P. Mascharka Estate and John C. Miller and Ellen M. Miller properties. Application received April 10, 2003.

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

40A76SM1 and NPDES Permit No. PA0212521, Keystone Lime Company, P. O. Box 278, Springs, PA 15562, renewal of NPDES Permit, Elk Lick Township, **Somerset County**. Receiving streams: unnamed tributary to Laurel Run (WWF). There are no potable water supply intakes within 10 miles downstream. Application received April 8, 2003.

Noncoal Applications Returned

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

16000303 and NPDES Permit No. PA0241806. Milestone Crushed, Inc. (521 South Street, P. O. Box 644, Clarion, PA 16214). Commencement, operation and restoration of a bituminous strip operation in Perry Township, **Clarion County** affecting 38.0 acres. Receiving streams: unnamed tributary to Allegheny River. Application received June 16, 2000. Permit issued April 9, 2003.

ABANDONED MINE RECLAMATION

Under Act 181 of 1984, the Department solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine project:

Project No. BF 501-101.1, Woodward Township, Clearfield County, 2 acres.

Project No. BF 502-101.1, Woodward Township, Clearfield County, 3 acres.

Letters of interest must be received by Roderick A. Fletcher, P. E., Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, 400 Market Street, P. O. Box 8476, Harrisburg, PA 17105-8476 by 4 p.m. on May 27, 2003, to be considered. Telephone inquiries shall be directed to Chuck Lonkart, Division of Mine Hazards, (717) 787-3448.

Project No. BF 506-101.1, Porter Township, Clarion County, 10 acres.

Project No. BF 504-101.1, Mt. Pleasant Township, Westmoreland County, 14.5 acres.

Project No. BF 505-101.1, Bell Township, Westmoreland County, 2.2 acres.

Letters of interest must be received by Roderick A. Fletcher, P. E., Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, 400 Market Street, P. O. Box 8476, Harrisburg, PA 17105-8476 by 4 p.m. on May 27, 2003, to be considered. Telephone inquiries shall be directed to Chuck Siders, Division of Mine Hazards, (717) 783-0474.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for 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(a)), 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. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any com-

ments, suggestions or objections within 30 days of the date of this notice as well as any questions to the 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. Each individual 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 of 8 a.m. and 4 p.m. on each working day at the office noted before the application.

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

E23-432. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Thornbury Township, **Delaware County**, ACOE Philadelphia District.

To perform the following activities associated with a culvert modification:

1. To place and maintain fill material in the assumed floodway of an unnamed tributary to Chester Creek (TSF) for the purpose of raising the roadway to an elevation to a level so that Chester Creek Road will not become inundated during large storm events.

2. To construct and maintain a riprap lined outfall channel draining to the Chester Creek.

3. To place six 54-inch RCP culverts through the approach fill to improve floodplain flow and to alleviate the backwater conditions.

The project will impact approximately 25 linear feet of watercourse. The site is located 300 feet east of the intersection of Tanguy Road and Creek Road (West Chester, PA Quadrangle N: 10.6 inches; W: 2.5 inches).

E09-850. Department of Transportation, District 6, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Hilltown Township, **Bucks County**, ACOE Philadelphia District.

The applicant proposes the following water obstructions and encroachments associated with the road widening and traffic improvements to facilitate access to a proposed Wawa Food Market.

1. To relocate 155 linear feet of the eastern unnamed tributary by extending an existing 48 inch RCP stream enclosure downstream connecting to an existing 72 inch stream enclosure, which conveys Mill Creek under Souderton Road, then place fill the abandoned channel.

2. The eastern enclosure consists of 12 linear feet of 48 inch RCP and 149 linear feet of 54 inch RCP that starts at manhole cleanout SW23, includes inlet manhole cleanout SW2 and joins the existing structure at inlet manhole cleanout SW1.

3. To relocate 130 linear feet of the western unnamed tributary by extending an existing 72 inch stream enclosure, which conveys Mill Creek under Souderton Road, upstream to the proposed inlet at endwall SW10 and then place fill in the abandoned channel.

4. The western enclosure consists of 17 linear feet of 48 inch RCP and 105 linear feet of 66 inch RCP that starts at end-wall SW10, includes inlet cleanouts SW10, SW22 and SW9 and joins the existing structure at inlet cleanout SW1.

5. To construct an outfall structure from a subsurface stormwater management facility adjoining the existing 72 inch stream enclosure at inlet cleanout SW1, which conveys Mill Creek under Souderton Road.

6. To construct approximately 150 linear feet of retaining wall along the bank and within the assumed 100-year floodway of the western unnamed tributary. The wall is immediately upstream of SW1.

The project will impact 435 linear feet of watercourse. The site is located approximately 400 feet west of the intersection of Souderton Road (SR 0113) and Bethlehem Pike (SR 4085) (Telford, PA Quadrangle N: 13.8 inches; W: 7.6 inches).

E46-936. Horsham Township, 1025 Horsham Road, Horsham, PA 19044, **Montgomery County**, ACOE Philadelphia District.

Deep Meadow Park Pedestrian Bridge Replacement Project. The applicant proposes to replace the existing bridge and appurtenant structures over Park Creek (WWM-MF).

1. To construct and maintain a single span wooden deck bridge with a 78 foot span and 7 foot underclearance and 6 foot bridge width.

2. To temporarily place approximately 19 cubic yards soil stockpile in the floodplain.

3. To place approximately 6 cubic yards of fill on both left and right floodplain and floodway associated with bridge footings construction and road approach grading.

The project proposes to temporarily affect 90 linear feet and directly affect a total of 20 linear feet of stream banks. The project site is located approximately 3,620 feet southeast of the intersection of SR 0463/Horsham Road and SR 0152/Limekiln Pike (Ambler, PA Quadrangle N: 14.87 inches; W: 6.98 inches).

E15-704. Wawa Inc., 260 West Baltimore Pike, Wawa, PA 19063, East Brandywine Township, **Chester County**, ACOE Philadelphia District. Horseshoe Pike (SR 0322) and Bondsville Road (SR 4015) intersection improvements.

The applicant proposes the following water obstructions and encroachments associated with the road widening and traffic improvements to facilitate access to a proposed Wawa Food Market.

1. To relocate 155 linear feet of the unnamed tributary to Beaver Creek (TSF, MF) then place fill in the abandon channel.

2. To remove 35 linear feet of existing 48 inch CMP culvert, which conveys an unnamed tributary of Beaver Creek under an existing driveway access.

3. To remove 65 linear feet of existing retaining wall and fill from the floodplain to facilitate channel relocation noted in item 1.

4. To modify and extend an existing stream enclosure, which conveys unnamed tributary to Beaver Creek under Horseshoe Pike and Bondsville Road intersection. The enclosure consists of 40 additional feet of 6 foot by 8 foot arch culvert.

5. To construct approximately 330 linear feet of gravity retaining wall along the west bank and within the assumed 100-year floodway of the unnamed tributary adjacent to the widened Bondsville Road.

6. To construct approximately 330 linear feet of gravity retaining wall along the east bank and within the assumed 100-year floodway of the unnamed tributary adjacent to the proposed Wawa Food Market parking area.

7. To modify and extend three outfall structures from road surfaces through the proposed retaining walls previously noted discharging to the unnamed tributary of Beaver Creek.

8. To construct and maintain 50 linear feet of 16 foot by 4 foot open bottom culvert spanning the relocated channel noted in item 1. The structure will serve as the access to the proposed Wawa Food Market.

9. To construct a sewer line and force main under the proposed culvert noted in item 8.

10. To construct a sewer line and force main across an unnamed tributary of Beaver Creek and to construct, operate and maintain sewage pump station within the 100-year floodplain.

Items 1, 2, 4, 5 and 7 will take place within a Department of Transportation right-of-way. Items 9 and 10 will fall under the responsibility of the municipal sewer authority. The remaining items (items 3, 6 and 8) are solely the responsibility of the applicant, Wawa, Inc.

The project will impact 420 linear feet of watercourse. The site is located immediately southeast of the intersection of Horseshoe Pike (SR 0322) and Bondsville Road (SR 4015) (Wagontown, PA Quadrangle N: 5.9 inches; W: 1.9 inches).

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

E52-184. Tennessee Gas Pipeline, 197 Tennessee Road, Coudersport, PA 16915, in Lackawaxen, Shohola and Milford Townships, **Pike County**, U. S. Army Corps of Engineers, Philadelphia District.

To repair and maintain an existing 24-inch-diameter high-pressure natural gas pipeline, known as the TGP 300-1 Line. Work will involve excavation to expose sections of the pipeline, removal of the external coating and reapplication of a new coating at multiple locations along the pipeline. Approximately 14 of the work locations include utility line crossings and/or temporary road crossings, involving temporary impacts to wetlands or streams (tributary to West Falls Creek (HQ-CWF), Twin Lakes Creek (HQ-CWF), Savantine Creek (EV), Dimmick Meadow Brook (EV) and Deep Brook (EV)). The tempo-

rary impacts total approximately 2.02 acres (1,600 linear feet). The project is located within the existing pipeline right-of-way, extending southeasterly from a point approximately 2,000 feet northwest of Little Teedyuskung Lake (Narrowsburg, NY-PA Quadrangle N: 2.1 inches; W: 14.4 inches).

E45-446. Tobyhanna Township, HC 89, Box 289, Pocono Pines, PA 18350, in Tobyhanna Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in 0.13 acre of PSS Wetlands within the Tobyhanna Creek Watershed (HQ-CWF) for the purpose of constructing the Mackes Street Extension Project. The project is located 0.3 mile northwest of the intersection of SR 0115 and SR 0940 (Blakeslee, PA Quadrangle N: 17.0 inches; W: 13.5 inches).

E48-334. Lower Mount Bethel Township, P. O. Box 257, Martins Creek, PA 18063, in Lower Mount Bethel Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 1.6 acre gravel parking lot within the 100-year floodplain of the Delaware River (WWF, MF) to serve recreation fields between the Martins Creek-Belvidere Highway and the Delaware River. The project is located 1,000 feet southwest of the Riverton-Belvidere Highway Bridge across the Delaware River (Belvidere, PA-NJ Quadrangle N: 13.5 inches; W: 12.0 inches).

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

E05-310: Dixie L. Tew, 3001 Teaberry Road, Bedford, PA 15522 in Bedford Township, **Bedford County**, ACOE Baltimore District.

To fill and relocate an existing stream channel from a spring then construct and maintain 60 feet of 12-inch pipe which will discharge into an unnamed tributary of Shrobers Run (HQ-CWF) (Rainsburg, PA Quadrangle N: 15.4 inches; W: 7.7 inches) in Bedford Township, Bedford County.

E05-311: James S. Claycomb, 1532 Gordon Hall Road, Osterburg, PA 16667 in West St. Clair Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain a 40-foot-long steel beam bridge with a wooden deck having a clear span of 38 feet across Georges Creek (WWF) to move farm machinery across the stream (Alum Bank, PA Quadrangle N: 12.2 inches; W: 12.5 inches) in West St. Clair Township, Bedford County.

E31-188: Department of Transportation, Engineering District 9-0, 1620 N. Juniata Street, Hollidaysburg, PA 16648-1019 in Cromwell and Shirley Townships, **Huntingdon County**, ACOE Baltimore District.

To construct and maintain a 6-inch stream paving slab having a length of 47.17 feet in Sugar Run (CWF). The culvert is located at a point where SR 0747 crosses Sugar Run (Butler Knob, PA Quadrangle N: 8.4 inches; W: 6.9 inches) in Cromwell and Shirley Townships, Huntingdon County.

E36-754: Lititz Run Watershed Alliance, 315 Clay Road, Lititz, PA 17543 in Warwick Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a stream restoration project (approximately 2,200 feet) within Lititz Run (WWF) for the purposes of: stream bank stabilization, improved sediment transport, establishment of riparian buffers and

improved aquatic habitat while implementing a natural stream channel design approach consisting of the following construction activities: channel relocation, stream and floodway excavation and filling, installation of rock vanes, cross vanes and J-hooks, riprap, root wad and log spur placement and to place fill in 0.70 acre of (PEM) and 0.07 acre of (PSS) wetlands, beginning at a point approximately 200 feet north of the SR 772 crossing and continuing approximately 2,200 feet northeast towards the Borough of Lititz (Lititz, PA Quadrangle N: 4.0 inches; W: 3.5 inches) in Warwick Township, Lancaster County. The permittee is required to provide 1.04 acres of (PEM) and 0.117 acre of (PSS) replacement wetlands.

E01-240: Richard W. Fadely, 1475 Fleshman Mill Road, New Oxford, PA 17350 in Mt. Pleasant Township, **Adams County**, ACOE Baltimore District.

To construct and maintain a 24-foot by 30-foot three car garage in the floodway of South Branch Conewago Creek (WWF). The project is located off Fleshman Mill Road (McSherrystown, PA Quadrangle N: 18.1 inches; W: 10.27 inches) in Mt. Pleasant Township, Adams County.

E07-368: Martinsburg Borough, 133 East Allegheny Street, Martinsburg, PA 16662 in Martinsburg Borough, **Blair County**, ACOE Baltimore District.

To: (1) construct and maintain 364 feet of 52-inch by 77-inch CMPA stream enclosure; and (2) remove unauthorized concrete and rubble from 310 feet of stream channel as compensation for the stream impacts associated with the enclosure on an unnamed tributary to Plum Creek, an intermittent stream classified as a WWF. The project proposes to directly affect a total of 674 linear feet of stream channel (Martinsburg, PA Quadrangle N: 10.5 inches; W: 10.7 inches) in Martinsburg Borough, Blair County.

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

E02-1422. John Kauper, 85 Iroquois Drive, Pittsburgh, PA 15228. Cederfielde Quay Apartments channel relocation in the Municipality of Mt. Lebanon, **Allegheny County**, Pittsburgh ACOE District (Bridgeville, PA Quadrangle N: 22.3 inches; W: 4.88 inches). The applicant proposes to relocate and maintain 616 linear feet of the channel of an unnamed tributary to Sawmill Run for the purpose of constructing the Cederfielde Quay Apartments. The project is located on the west side of Castle Shannon Boulevard, just south from the intersection of Castle Shannon Boulevard and Gibson Street and will permanently impact 416.0 feet of an unnamed tributary to Sawmill Run (WWF).

E63-541. Cross Creek Township, 28 Clark Avenue, Avella, PA 15312. Parker Road Bridge Replacement in Cross Creek Township, **Washington County**, Pittsburgh ACOE District (Avella, PA Quadrangle N: 8.1 inches; W: 8.15 inches). The applicant proposes to remove the existing twin 48-inch diameter culverts in Middle Fork Cross Creek for the purpose of improving Parker road. The project is located on Parker Road (T-433) approximately 1,500 feet west from the intersection of Parker Road (T-433) and T-733. This project proposes to permanently impact 40.0 linear feet of Middle Fork Cross Creek (HQ-WWF).

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

E24-232, Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 26301. Existing Natural

Gas Pipeline LN 50, in Benezette Township, **Elk County**, ACOE Baltimore District (Dents Run, PA Quadrangle N: 0.4 inch; W: 8.2 inches).

The applicant proposes to operate and maintain an existing 30-inch natural gas pipeline LN 50 in Elk County from the Elk/Clearfield County border (The Knobs, PA Quadrangle N: 20.6 inches; W: 16.5 inches) approximately 0.9 mile west of the intersection of Jack Dent Road and the Elk/Clearfield County border traversing northeast to the Elk/Cameron County border (Driftwood, PA Quadrangle N: 1.2 inches; W: 15.3 inches) at the intersection of SR 2004 (Quehanna Highway) and the Elk/Cameron County border. The project crosses and includes, but is not limited to, the crossing of the following streams and one wetland over 10 acres as described in the application: Pebble Run (intermittent) (HQ-CWF) (N41° 15' 12", W78° 17' 55"), unnamed tributary to Pebble Run (intermittent) (HQ-CWF) (N41° 15' 15", W78° 17' 4"), Beaver Run (perennial) (HQ-CWF) (N41° 15' 13", W78° 15' 21"), and Wetland W-LN-50-ELK-001 (PEM1/SS1B) (N41° 15' 13", W78° 16' 22").

E33-213, Borough of Brookville, Two Jefferson Court, Brookville, PA 15825. Brookville Flood Protection Project Maintenance, in the Borough of Brookville, **Jefferson County**, ACOE Pittsburgh District (Brookville, PA Quadrangle N: 6.0 inches; W: 11.0 inches).

The applicant proposes to maintain the Federal flood control project within the Borough of Brookville, Jefferson County involving the removal of unvegetated gravel bars from North Fork Creek (HQ-CWF), Red Bank Creek (TSF) and Sandy Lick Creek (TSF), perennial streams.

E33-215, Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 26301. Existing Natural Gas Pipeline LN 50, in Bell Township, Gaskill Township, Henderson Township and Young Township, **Jefferson County**, ACOE Pittsburgh District (Punxsutawney, PA Quadrangle N: 12.8 inches; W: 3.5 inches).

The applicant proposes to operate and maintain an existing 30-inch natural gas pipeline LN 50 from the Indiana/Jefferson County border (Valier, PA Quadrangle N: 6.2 inches; W: 2.3 inches) approximately 0.5 mile northwest of U. S. Route 119 and SR 210 traversing northeast to the Jefferson/Clearfield County border (DuBois, PA Quadrangle N: 0.2 inch; W: 7.5 inches) approximately 0.8 mile south of the intersection of SR 410 and SR 2008. The project crosses and includes, but is not limited to, the crossing of the following streams as described in the application: unnamed tributary to Mahoning Creek (intermittent) (CWF) (N40° 54' 39", W79° 0' 41"), unnamed tributary to Mahoning Creek (intermittent) (CWF) (N40° 54' 46", W79° 0' 15"), unnamed tributary to Mahoning Creek (intermittent) (CWF) (N40° 54' 51", W79° 59' 55"), unnamed tributary to Painter Run (intermittent) (CWF) (N40° 55' 11", W78° 58' 40"), unnamed tributary to Painter Run (intermittent) (CWF) (N40° 55' 21", W78° 58' 17"), unnamed tributary to Painter Run (intermittent) (CWF) (N40° 55' 31", W78° 57' 49"), unnamed tributary to Canoe Creek (intermittent) (CWF) (N40° 55' 40", W78° 57' 4"), Canoe Creek (perennial) (CWF) (N40° 56' 0", W78° 55' 49"), Jackson Run (perennial) (CWF) (N40° 56' 43", W78° 54' 2"), unnamed tributary to Mahoning Creek (intermittent) (N40° 57' 12", W78° 52' 51"), unnamed tributary to Mahoning Creek (perennial) (N40° 57' 27", W78° 52' 54"), East Branch Mahoning Creek (perennial) (N40° 58' 9", W78° 51' 13"), unnamed tributary East Branch Mahoning Creek (intermittent) (N40° 58' 45", W78° 49' 56"), unnamed tributary East Branch Mahoning Creek (intermittent) (N40° 59'

14', W78° 49' 19") and unnamed tributary East Branch Mahoning Creek (intermittent) (N40° 59' 44", W78° 48' 43").

**WATER OBSTRUCTION AND ENCROACHMENT
SMALL PROJECTS PERMIT**

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

E5914-001. Borough of Elkland, 105 Parkhurst Avenue, Elkland, PA 16920 in the Borough of Elkland, **Tioga County**, ACOE Baltimore District, Small Projects Permit Application.

To remove concrete bridge abutments from the former Penn Central Railroad bridge along Camp Brook (WWF) located at the end of Proctor Avenue and approximately 400 feet downstream of the Industrial Road bridge. This existing encroachment restricts the channel width of Camp Brook resulting in higher backwater depths during high flows. The project would include removing and disposing, offsite, a stonewall, concrete abutments, wingwalls and retaining walls, including all reinforcement, then shaping the streambanks on a 1:2 slope. Remove and dispose, offsite, a concrete slab plus all reinforcement located in the streambed within the project limits. The approximate size of the slab is 20 feet wide by 25 feet long. Finish grade disturbed areas then install erosion control matting on sloped areas of the streambanks and place topsoil and seed these areas. All other disturbed areas will be graded, seeded and mulched. The project would impact approximately 200 feet of the channel. All work under this project will be confined within the stream banks of Camp Brook (Elkland, PA Quadrangle N: 21.25 inches; W: 8.05 inches).

ACTIONS

**FINAL ACTIONS TAKEN UNDER
THE CLEAN STREAMS LAW AND THE
FEDERAL CLEAN WATER
ACT—NPDES AND WQM PART II
PERMITS**

**INDUSTRIAL WASTE AND
SEWERAGE WASTEWATER**

The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval.

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 may 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 to 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. Municipal and Industrial Permit Actions 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.

NPDES Permit No. PA0063053, Industrial Waste, **Tamaqua Area Water Authority**, 320 East Broad Street, Tamaqua, PA 18252. This proposed facility is located in Rush Township, **Schuylkill County** and discharges to Little Schuylkill River.

Description of Proposed Action/Activity: Renewal of NPDES permit to discharge 0.176 MGD of treated process wastewater into the Little Schuylkill River (CWF).

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

NPDES Permit No. PA0043575, Sewage, **Lykens Borough Authority**, 200 Main Street, Suite C, Lykens, PA 17048. This proposed facility is located in Lykens Borough, **Dauphin County**.

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

NPDES Permit No. PA0087611, Sewage, **Richfield Area Joint Authority**, R. R. 2, Box 35, Richfield, PA 17086. This proposed facility is located in Monroe Township, **Juniata County**.

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

NPDES Permit No. PA0247022, CAFO, **David Sweigart, Ridge View Farms**, 189 Ridge View Road South, Elizabethtown, PA 17022. This proposed facility is located in Mount Joy Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,131-AEU dairy and swine Concentrated Animal Feeding Operation.

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

NPDES Permit No. PA0112895, Sewage, **Daniel L. Roeder**, 205-B Independent Street, Catawissa, PA 17820. This existing facility is located in Roaring Creek Township, **Columbia County**.

Description of Proposed Action/Activity: Renewal of an NPDES permit for a small flow treatment facility serving the Roeder residence. Discharge is to an unnamed tributary to Roaring Creek (HQ-CWF).

WQM Permit No. 4903401, Sewerage, SIC 4952, **Thomas B. Aunkst**, 602 Elm Street, Watsonstown, PA 17777. This proposed facility will be located in Delaware Township, **Northumberland County**.

Description of Proposed Action/Activity: Issuance of a water quality management permit for a single residence sewage plant.

NPDES Permit No. PA0115282, Sewage 4952, **Michael Segalla**, 21 Ponderosa Drive, Penfield, PA 15849. This facility is located in Huston Township, **Clearfield County**.

Description of Action/Activity: Renewal of NPDES permit for Pine Valley Court, a nonmunicipal wastewater treatment facility.

NPDES Permit No. PA0112251, Sewage 4952, **Randall B. Moyer**, 230 Madisonburg Pike, Madisonburg, PA 16852. This facility is located in Miles Township, **Centre County**.

Description of Action/Activity: Renewal of NPDES permit for small flow domestic wastewater treatment facilities.

WQM Permit No. 4103402, Sewerage, **Cheryl L. Lantz**, 80 Bybrook Road, Williamsport, PA 17701. This proposed facility will be located in Upper Fairfield Township, **Lycoming County**.

Description of Proposed Action/Activity: Construction and operation of a small flow treatment facility to serve a residence. The treatment facility will discharge to an unnamed tributary to Kaiser Hollow (TSF).

NPDES Permit No. PA0026310, SIC 4952, **Clearfield Municipal Authority**, 107 East Market Street, Clearfield, PA 16830. This facility is located in Lawrence Township, **Clearfield County**.

Description of Proposed Action/Activity: Amendment of the NPDES permit for addition of an existing combined sewer overflow (CSO) outfall, permanent discontinuation of two existing CSOs and temporary closing of three other existing CSOs.

WQM Permit No. 1795408-A43, Sewage 4952, **Bradford Township**, P. O. Box 79, Woodland, PA 16881. This facility is located in Bradford Township, **Clearfield County**.

<i>Parameter</i>	<i>Avg. Mon</i>	<i>Max. Daily</i>	<i>Avg. Mon.</i>	<i>Avg. Weekly</i>	<i>Max. Daily</i>	<i>Instantaneous Maximum</i>
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The NPDES permit was amended to reflect required monitoring frequencies for both one home and two home connections to the sewage treatment plant.

NPDES Permit No. PA0219363, Sewage, **Pyramid Healthcare, Inc.**, 1512 12th Avenue, Altoona, PA 16601 is authorized to discharge from a facility located at Pyramid Healthcare STP No. 2, Reade Township, **Cambria County** to receiving waters named Powell Run.

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

NPDES Permit No. PA0003085, Industrial Waste Amendment No. 1, **The Carbide/Graphite Group, Inc.**, 800 Theresa Street, St. Marys, PA 15857. This proposed facility is located in City of St. Marys, **Elk County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to South Branch of Elk Creek.

NPDES Permit No. PA0238937, Sewage, **Middlesex Township**, 133 Browns Hill Road, Valencia, PA 16059-3101. This proposed facility is located in Middlesex Township, **Butler County**.

Description of Proposed Action/Activity: Single residence wastewater treatment facilities.

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

NPDES Permit No. PA0096059, Industrial, **Crucible Compaction Metals**, 1001 Robb Hill Road, Oakdale, PA 15071 is authorized to discharge from a facility located at Crucible Compaction Metals, North Fayette Township, **Allegheny County** to receiving waters named unnamed tributary of North Branch Robinson Run.

NPDES Permit No. PA0205044, Industrial Waste, **BFI Waste Systems of North America, Inc.**, Route 980 and Boggs Road, P. O. Box 47, Imperial, PA 15126 is authorized to discharge from a facility located at Imperial Landfill, Findlay Township, **Allegheny County** to receiving waters named unnamed tributary to North Fork and unnamed tributary to South Fork of Montour Run.

NPDES Permit No. PA0217425, Industrial, **Pilot Travel Centers, LLC**, P. O. Box 10146, Knoxville, TN 37939-0146 is authorized to discharge from a facility located at Travel Center No. 348, Bentleyville Borough, **Washington County** to receiving waters named Pigeon Creek.

NPDES Permit No. PA0218375-A1, Sewage, **Arensberg Estates Homeowners Association**, 660 Mercer Road, Greenville, PA 16125 is authorized to discharge from a facility located at Arensberg Estates STP, Cecil Township, **Washington County** to receiving waters named unnamed tributary of Millers Run.

NPDES Permit No. PA0218758-A1, Sewage, **James LeDonne**, 545 Turkey Ridge Road, Apollo, PA 15613 is authorized to discharge from a facility located at James C. LeDonne Land Development Sewage Treatment Plant, Washington Township, **Westmoreland County** to receiving waters named Pucketa Creek.

This notice reflects changes from the notice published at 31 Pa.B. 1876 (April 7, 2001).

Description of Proposed Action/Activity: This facility is authorized to discharge to South Branch of Glade Run.

NPDES Permit No. PA0238945, Sewage, **Pulaski Township Municipal Authority**, R. D. 1, Box 1043, Pulaski, PA 16143. This proposed facility is located in Pulaski Township, **Lawrence County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Deer Creek from the New Bedford facility and Shenango River from the Pulaski facility.

NPDES Permit No. PA0103292, Sewage, **Hamilton Township, Village of Ludlow**, P. O. Box 23, Ludlow, PA 16333-0023. This proposed facility is located in Hamilton Township, **McKean County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Twomile Run.

NPDES Permit No. PA0025461, Sewage, **Vernon Township Sanitary Authority, South Watson Run**

Sewage Treatment Plant, 16678 McMath Avenue, Meadville, PA 16335. This proposed facility is located in Vernon Township, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Watson Run.

NPDES Permit No. PA0210471, Sewage, **Bessemer Municipal Authority**, P. O. Box 642, Bessemer, PA 16112. This proposed facility is located in North Beaver Township, **Lawrence County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Mahoning River.

NPDES Permit No. PA0221635, Sewage, **Lighthouse Foundation**, 1302 East Cruikshank Road, Butler, PA 16002. This proposed facility is located in Middlesex Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Glade Run.

WQM Permit No. 6203201, Industrial Waste, **Reliant Energy, Mid-Atlantic Power Holdings, LLC, Warren Generating Station**, 1001 Broad Street, P. O. Box 1050, Johnstown, PA 15907-1050. This proposed facility is located in Conewango Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a leachate treatment facility for a coal ash disposal site.

WQM Permit No. 4303201, Industrial Waste, **Duferco Farrell Corporation**, 15 Roemer Blvd., Farrell, PA 16121-2299. This proposed facility is located in City of Farrell, **Mercer County**.

Description of Proposed Action/Activity: This project is for the No. 2 Cold Roll Facility noncontact cooling water recycle system and will be discharged to the Shenango River through permitted Outfall 004

WQM Permit No. 4302421, Sewerage, **West Salem Township Municipal Sewage Authority**, 610 Vernon

Road, Greenville, PA 16125. This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the construction of a pump station and sewer extension to serve the expansion of St. Paul Homes, a nonprofit retirement community.

WQM Permit No. 3301402, Sewerage, **Big Run Area Municipal Authority**, R. D. 2, Box 126A, Punxsutawney, PA 15767. This proposed facility is located in Big Run Borough, Henderson and Gaskill Townships, **Jefferson County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a wastewater collection system and treatment facility.

WQM Permit No. 1002413, Sewerage, **Middlesex Township**, 133 Browns Hill Road, Valencia, PA 16059-3101. This proposed facility is located in Middlesex Township, **Butler County**.

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

WQM Permit No. 3702406, Sewerage, **Pulaski Township Municipal Authority**, R. D. 1, Box 1043, Pulaski, PA 16143. This proposed facility is located in Pulaski Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage treatment facility (New Bedford) to serve the New Bedford, Pine Glenn and Frizzleburg areas.

WQM Permit No. 3702407, Sewerage, **Pulaski Township Municipal Authority**, R. D. 1, Box 1043, Pulaski, PA 16143. This proposed facility is located in Pulaski Township, **Lawrence County**.

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

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

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 may 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 to 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.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q250	Carpenter Company 5016 Monument Ave. Richmond, VA	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023903002	RD Management/ Agent for Trexlar Mall Shopping Center, L. P. 810 Seventh Ave., 28th Fl. New York, NY 10017	Lehigh	Lower and Upper Macungie Townships	Little Lehigh Creek HQ-CWF
PAI024803005	Triple Net Investments XIII, L. P. 171 Route 173, Suite 201 Asbury, NJ 08802	Northampton	Forks Township	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAS10W089	Foltz Development P. O. Box 401 Bridgeville, PA 15017	Washington County North Strabane Township	Little Chartiers Creek HQ-WWF
PAI056303001	Frank T. Perano Box 677 Morgantown, PA 19543	Washington County Donegal Township	Dutch Fork Creek HQ-WWF

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

The following parties have submitted: (1) Notices of Intent for Coverage under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations. Monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in this Commonwealth; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits 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. The Department of Environmental Protection approves the following coverage under the specific General Permit.

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).

The application 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.

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (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)

General Permit Type—PAG-2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Concord Township Delaware County	PAG2002303004	Steven Fay P. O. Box 588 Royersford, PA 19468	Green Creek CWF-MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Radnor Township Delaware County	PAG2002303021	Chanticleer Charitable Trust 780 Church Road Radnor, PA 19087	Tributary to Little Darby Creek CWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Darby Borough Delaware County	PAG2002303026	William Penn School District 100 Green Avenue Annex Lansdowne, PA 19050	Cobbs Creek WWF-MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Carbon County Palmerton Borough	PAG2001303001	Joseph Cimerola 1851 Brookhaven Drive East Allentown, PA 18103-9671	Lehigh River CWF	Carbon County Conservation District (610) 377-4894
Luzerne County Dallas Township	PAG2004003011	John Halbing 20 Winding Way Dallas, PA 18612	Trout Brook CWF	Luzerne County Conservation District (570) 674-7991
Luzerne County Dupont Borough	PAG2004003012	Dupont Borough 600 Chestnut St. Dupont, PA 18641	Mill Creek CWF	Luzerne County Conservation District (570) 674-7991
Luzerne County Dallas Township	PAG2004003013	Richard Angelicula 180 Wellington Dr. Shavertown, PA 18708	Tobys Creek CWF	Luzerne County Conservation District (570) 674-7991
The Village at Morrissions Cove Martinsburg Borough North Woodbury Township	PAG2000703004	Village at Morrissions Cove 429 South Market Street Martinsburg, PA 16662	UNT Plum Creek WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
Claysburg Kimmel Jr. and Sr. High School Greenfield Township	PAG2000703005	Claysburg Area School District R. R. 1 Box 522, Bedford St. Claysburg, PA 16625	Beaverdam Creek CWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
Homewood Martinsburg Cottages North Woodbury Township	PAG2000703006	Homewood Retirement Centers 430 South Market Street Martinsburg, PA 16662	UNT Plum Creek WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
Rolling Hills Phase III Frankstown Township	PAG2000703007	W. E. Campbell Builders 1601 3rd Avenue Duncansville, PA 16635	Frankstown Branch of Juniata River WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
Metzler Auto Dealership Taylor Township	PAG2000703008	Don Metzler R. D. 1 Box 144 Martinsburg, PA 16662	Plum Creek WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5

NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Southampton Cumberland County	PAG2002103010	JLG Industries, Inc. Karl Petrie 1 JLG Drive McConnellsburg, PA 17233	UNT to Bulls Head Branch CWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
Guilford Township	PAR10M154-R	Ridgewood Station Preston Bellows 2082 Lincoln Way East Chambersburg, PA 17201	Conococheague Creek CWF	Franklin County Conservation District (717) 264-8074
Greene Township	PAG2002803010	Mary & Chester Shively Trust c/o Michael Shively 467 Briar Lane Chambersburg, PA 17201	Conococheague Creek CWF	Franklin County Conservation District (717) 264-8074
Boroughs of Wyomissing and Shillington Berks County	PAG20006003026	Greg Harvey Wawa Inc. 260 Baltimore Pike Wawa, PA 19063	Wyomissing Creek CWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Maidencreek Township Berks County	PAG2000603024	Walnut Manor Ph. I Lots 55 and 56 Kevin Kozo Berks Homes 3335 Morgantown Rd. Green Hills, PA 19540	Willow Creek CWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Muhlenberg Township Berks County	PAG2000603012	Riverview Self Storage Larry Latshaw 181 Denver Rd. Denver, PA 17517	Schuylkill River WWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Brecknock, Cumru and Spring Townships Berks County	PAR10C204R	SR 0222 Sec. 2 and 3 Relocation/Expansion John J. Porter Department of Transportation District 5-0 1713 Lehigh Street Allentown, PA 18103	Little Muddy and Wyomissing Creeks plus tributaries TSF CWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Manor Township Lancaster County	PAG2003603004	Alan Mongeau/Robt. Costello 179 Charles Rd. Lancaster, PA 17603	Little Conestoga Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Penn Township Lancaster County	PAG2003603022	John F. Stoltzfus 145 Fairview Rd. Lititz, PA 17543	Chickies Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manheim Borough Lancaster County	PAG2003603023	Carel USA 18334 Freedom Rd., Box 10278 Lancaster, PA 17601	UNT Chickies Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Earl Township Lancaster County	PAG2003603029	Ed Hollinger 973 Gault Rd. New Holland, PA 17557	UNT Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Brecknock Township Lancaster County	PAG2003603030	Blue Ball Menn Church Norman Hah Ewell Rd. East Earl, PA 17519	Muddy Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Hempfield Township Lancaster County	PAG2003603031	HEWI Inc. 1336 Loop Rd. Lancaster, PA 17601	Brubaker Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Conestoga Township Lancaster County	PAG2003603033	Camilla Huepenbecker 3600 Bal Harbor Blvd., Unit 1-J Punta Gorda, FL 33950	UNT Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manheim Township Lancaster County	PAG2003603034	Lancaster Country Day School 725 Hamilton Rd. Lancaster, PA 17603	Little Conestoga Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manor Township Lancaster County	PAG2003603035	Manor Oaks General Partnership 111 Centerville Rd. Lancaster, PA 17603	Little Conestoga Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manheim Township Lancaster County	PAG2003603036	Kevin Lapp Burkwood Assoc. 255 Butler Ave. Lancaster, PA	Little Conestoga Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Hempfield Township Lancaster County	PAG2003603039	Hospice of Lancaster Co. 685 Good Dr. P. O. Box 4125 Lancaster, PA 17604	Little Conestoga Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Leacock Township Lancaster County	PAG2003603040	Pequea Valley School District P. O. Box 130 Kinzers, PA 17535	Pequea Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Centre County Ferguson Township	PAG2001403014	Bristol Park Lots 3 and 4 Bristol Assoc. 2583 Gateway Dr., Suite 140 State College, PA 16801	Spring Creek CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clinton County Wayne Township	PAR101915R	Big Woods Land Co. P. O. Box 400 McElhattan, PA 17748	UNT West Branch Susquehanna River WWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798, Ext. 5
Columbia County Greenwood Township	PAG2001903004	Greenwood Friends School P. O. Box 438 Millville, PA 17846	UNT Mudd Run CWF	Columbia County Conservation District 702 Sawmill Rd. Suite 204 Bloomsburg, PA 17815 (570) 784-1310

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lycoming County City of Williamsport	PAG2004103005	Eck Troutman Williamsport Theaters LP 1000 Commerce Park Dr. Williamsport, PA 17701	West Branch Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003
Northumberland Borough and County	PAG2004903007	Emmanuel Home 800 Priestly Ave. Northumberland, PA 17857	Susquehanna River WWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Beaver County Hopewell Township	PAG2000403003	Matthew Dickun True Line Corp. 470 Old Frankstown Road Monroeville, PA 15146	Unnamed tributary to the Ohio River WWF	Beaver County Conservation District (724) 774-7090
Beaver County Economy Borough	PAG2000403006	Rich Cybak Alrich Construction 2694 Ridge Road Ext. Baden, PA 15005	Unnamed tributary to Big Sewickley Creek TSF	Beaver County Conservation District (724) 774-7090
Beaver County Rochester Borough	PAG2000403008	St. Cecilia Parish c/o Father Ward Stakem 303 Jackson Street Rochester, PA 15074	Unnamed tributary to the Beaver River WWF	Beaver County Conservation District (724) 774-7090
Fayette County North Union Township	PAG2052603006	Fay Penn Economic Development Council 2 West Main Street Suite 407 P. O. Box 2101 Uniontown, PA 15401	Unnamed tributary to Jennings Run WWF	Fayette County Conservation District (724) 438-4497
Indiana County Armstrong, Conemaugh and Young Townships	PAR103166-1	David Becker Norfolk Southern Corp. 175 Spring St. SW Atlanta, GA 30303	Anthony Run, Blacklegs Creek, Crooked Creek and Kiskiminetas River CWF	Indiana County Conservation District (724) 463-8547
Somerset Township and County	PAG2055603001	Somerset Realty Partners II, L. P. 5989 Penn Circle South Pittsburgh, PA 15206	East Branch of Coxes Creek WWF	Somerset County Conservation District (814) 445-4652
Crawford County City of Meadville	PAG2002003003	Community Athletic Field North Street Meadville, PA 16335	Mill Run WWF	Crawford County Conservation District
Elk County Benzette Township	PAG2002403002	U. S. Army Corp of Engineers 10 S. Howard Street Baltimore, MD 21201	Dents Run CWF	Elk County Conservation District
Erie County City of Erie	PAG2002503010	Erie City Water Authority 340 W. Bayfront Pkwy. Erie, PA 16507	Mill Creek WWF-MF	Erie County Conservation District
Jefferson County McCalmont Township	PAG2003303001	McCalmont Township P. O. Box 276 Anita, PA 15711	Elk Run CWF	Jefferson County Conservation District

General Permit Type—PAG-3

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Northampton County Upper Nazareth Township	PAR702210	Highway Materials, Inc. 1750 Walton Road Blue Bell, PA 19422-0465	Shoeneck Creek WWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511

General Permit Type—PAG-4

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Upper Fairfield Township Lycoming County	PAG045155	Cheryl L. Lantz 80 Bybrook Rd. Williamsport, PA 17701	Unnamed tributary to Kaiser Hollow TSF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3666
Delaware Township Northumberland County	PAG045154	Thomas B. Aunkst 602 Elm Street Watsonstown, PA 17777	Unnamed tributary of Delaware Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Bradford Township Clearfield County	PAG045152	Lisa and Thad James 145 Stumps Lane Woodland, PA 16881	Unnamed tributary to Dale Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

General Permit Type—PAG-5

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
White Oak Borough Allegheny County	PAG056185	Sunoco Inc. 5733 Butler Street Pittsburgh, PA 15201	Crooked Run (Tributary to the Monongahela River)	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
City of Philadelphia Philadelphia County	PAG080004	Philadelphia Water Dept. ARAMARK Tower 1101 Market St., 4th Fl. Philadelphia, PA 19107	Philadelphia Water Dept. Biosolids Recycling Center 7800 Penrose Ferry Rd. Philadelphia, PA 19153	Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Towamencin Township Montgomery County	PAG080008	Upper Gwynedd Towamencin Municipal Authority 2225 Kriebel Rd. Lansdale, PA 19446	Upper Gwynedd Towamencin STP 2225 Kriebel Rd. Lansdale, PA 19446	Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Franconia Township Montgomery County	PAG080006	Telford Borough Authority P. O. Box 209 122 Penn Ave. Telford, PA 18969	Telford Borough STP 109 Telford Pike Telford, PA 18969	Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
Abington Township Montgomery County	PAG080002	Abington Township 1176 Old York Rd. Abington, PA 19001	Abington WWTP 1000 Fitzwater- town Rd. Roslyn, PA 19001	Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
West Pennsboro Township Cumberland County	PAG083568	Hampden Township 230 South Sporting Hill Rd. Mechanicsburg, PA 17050	Willis Halteman	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
West Pennsboro Township Cumberland County	PAG083569	Hampden Township 230 South Sporting Hill Rd. Mechanicsburg, PA 17050	Willis Halteman	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
West Providence Township Bedford County	PAG083562	Borough of Everett Area Municipal Authority 100 Mechanic Street Everett, PA 15537	BB and DJ Woy Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-10

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Adams County Oxford Township	PAG103516	Columbia Gas Transmission Corp. (Line 1804 Class Location Change) 525 Highland Blvd., Suite 100 Coatesville, PA 19320	UNT South Branch Conewago Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-12

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lebanon County Jackson Township	PAG123571	Paul J. Weaver Pauker Farm 401 Woebler Road Myerstown, PA 17067	Little Swatara Creek WWF 7D	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Warwick Township	PAG123541	John M. Hess John M. Hess Farm 502 W. Lincoln Ave. Lititz, PA 17543	Lititz Run WWF 7J	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707

PUBLIC WATER SUPPLY PERMITS

The Department of Environmental Protection has taken the following actions on applications received under the Safe Drinking Water Act 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 may 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 to 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 (35 P. S. §§ 721.1—721.17).

Southeast Region: Water Supply Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Permit No. 4602505, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 W. Hersheypark Drive
Hershey, PA 17033

Township Upper Providence

County **Montgomery**

Type of Facility PWS

Consulting Engineer Entech Engineering, Inc.
P. O. Box 32
Reading, PA 19603

Permit to Construct Issued April 10, 2003

Permit No. 0903502, Public Water Supply.

Applicant **Buckingham Township**
P. O. Box 413
Buckingham, PA 18912

County **Bucks**

Type of Facility PWS

Consulting Engineer Castle Valley Consultant, Inc.
10 S. Clinton Street, Suite 302
Doylestown, PA 18901

Permit to Construct Issued April 8, 2003

Permit No. 1503501, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania Suburban Water Company**
762 W. Lancaster Avenue
Bryn Mawr, PA 19010

Township Schuylkill

County **Chester**

Type of Facility PWS

Permit to Construct Issued April 8, 2003

Operations Permit issued to **Richlandtown Borough**, 125 South Main Street, Richlandtown, PA 18955, PWS ID 1090057, Richlandtown Borough, **Bucks County** on April 8, 2003, for the operation of facilities approved under Construction Permit No. 0901513.

Operations Permit issued to **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976, PWS ID 1090079, New Hope Borough, **Bucks County** on April 10, 2003, for the operation of facilities approved under Construction Permit No. 0999514.

Operations Permit issued to **Northampton Bucks County Municipal Authority**, 111 Township Road, Richboro, PA 18954, PWS ID 1090089, Northampton, **Bucks County** on April 10, 2003, for the operation of facilities approved under Construction Permit No. 0900509.

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

Permit No. 6703503 MA, Minor Amendment, Public Water Supply.

Applicant **Dillsburg Area Authority**

Municipality Franklin Township

County **York**

Type of Facility Installation of a 600,000 gallon water storage tank.

Consulting Engineer Peter Lusardi, P. E.
CET Engineering Services
1240 N. Mountain Rd.
Harrisburg, PA 17112

Permit to Construct Issued: April 9, 2003

Permit No. 3803502 MA, Minor Amendment, Public Water Supply.

Applicant **United Christian Church Home**

Municipality North Annville Township

County **Lebanon**

Type of Facility Replacement of existing pneumatic/chlorine contact tanks with new pressure tanks and new chlorine contact tanks.

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

Permit to Construct Issued: April 8, 2003

Operations Permit issued to **Betty P. Nelson**, 7210013, Lower Frankford Township, **Cumberland County** on April 9, 2003, for the operation of facilities approved under Construction Permit No. 2100503.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995
PREAMBLE 2

The following final 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 final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where 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.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in

the Department Regional Office after which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Riverfront North Site—Property B, Bristol Borough, **Bucks County**. Michael A. Christie, Penn Environmental & Remediation Inc., 2755 Bergey Rd., Hatfield, PA 19440, on behalf of the Redevelopment Authority of Bucks County, 1 N. Wilson Ave., Bristol, PA 19007, has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals, BTEX, PHC, PAH and solvents. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

William and Heidi Gerhardt Residence, Easttown Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Rd., Pennsburg, PA 18073, on behalf of William and Heidi Gerhardt, 478 Lantern La., Berwyn, PA 19312, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with Fuel Oil No. 2. The report is intended to document remediation of the site to meet the Statewide Health Standard.

John F. Kramer Property (Upland Farm/Montgomery School), West Pikeland Township, **Chester County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, has submitted a Final Report concerning remediation of site soil contaminated with heavy metals. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Wawa, Inc. (Market No. 163), Yeadon Borough, **Delaware County**. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, on behalf of Wawa, Inc., 260 W. Baltimore Pike, Wawa, PA 19063-5699, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Northeast Regional Field Office, Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Weidner Residence, Williams Township, **Northampton County**. Dr. Dru Germanoski, 4206 Countryside Lane, Hellertown, PA 18055 has submitted a Final Report (on behalf of William Weidner, Gaffney Road, Easton, PA 18042) concerning the remediation of soils found or suspected to have been accidentally contaminated with home heating oil. The report was submitted to demonstrate attainment of the Statewide Human Health Standard. A Notice of Intent to Remediate was simultaneously submitted.

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

Daloz Safety Inc., City of Reading, **Berks County**. ARM Group, Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797, on behalf of Daloz Safety,

Inc., 1150 First Avenue, Parkview Tower, Suite 400, King of Prussia, PA 19406, submitted a Remedial Investigation and a Risk Assessment concerning remediation of site soils and groundwater contaminated with Fuel Oils No. 2, 4, 5 and 6, chlorinated solvents and PAHs. The applicant intends to remediate the site to a combination of Statewide Health and Site Specific Standards.

Leroy Shultz Residence, Lower Windsor Township, **York County**. GemChem, Inc., P. O. Box 384, Lititz, PA 17543-0384, on behalf of Leroy Shultz, 175 Bank Hill Road, East Prospect, PA 17317, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the Statewide Health Standard.

Koch Hydrocarbon Facility, Heidelberg Township, **Lebanon County**. ARCADIS G & M, Inc., 26451 Curtiss Wright Parkway, Suite 100, Cleveland, OH 44143, on behalf of Reiss Remediation Company, 4111 East 37th Street North, Wichita, KS 67220, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with lead, BTEX, PHCs and PAHs. The combined report is intended to document remediation of the site to a combination of the Statewide Health and Site-Specific Standards.

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

Bloom Residence, Old Lycoming Township, **Lycoming County**. Hydro Environmental Technologies, Inc., on behalf of Roberta Bloom, 2018 Zuni Lane, Williamsport, PA 17701, has submitted a Final Report concerning soil contaminated with No. 2 Fuel Oil. This Final Report is intended to demonstrate attainment of the Statewide Health Standard. See additional entry in the Applications section of this *Pennsylvania Bulletin*.

Henderson Street Laundromat, Inc. (KC Video), City of Lock Haven, **Clinton County**. Earth Tech, Inc., on behalf of Montour Oil Service Company and Sunoco, Inc., 5733 Butler Street, Pittsburgh, PA 15201, has submitted a Remedial Investigation Report concerning soil and groundwater contaminated with leaded gasoline, lead, MTBE and unleaded gasoline. This report is submitted in partial fulfillment of the Site-Specific Standard.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Carbon Resources, Inc./Gateway Forest Products Site, Morgan Township, **Greene County**. Steven P. Stout (on behalf of Carbon Resources, Inc., P. O. Box 1512, McMurray, PA 15317) has submitted a Remedial Investigation, Risk Assessment and Cleanup Plan concerning remediation of site soil and groundwater contaminated with Heavy Metals, PAHs and Benzene. The report is intended to document remediation of the site to meet the Site Specific Standard.

Lexington Avenue, City of Pittsburgh, **Allegheny County**. Gary Ballesteros, Esq., Rockwell Automation, Inc., 777 East Wisconsin Avenue, Suite 1400, Milwaukee, WI 53202 (on behalf of Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219; University of Pittsburgh, B-50 Benedum Hall, Pittsburgh, PA 15261; and Blasland, Bouck, & Lee, Inc., 600 Waterfront Drive, Pittsburgh, PA 15222-4741) has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with PCBs, Heavy Metals, BTEX, PAHs, Pesticides and VOCs. The

report is intended to document remediation of the site to meet the Statewide and Site Specific Standard.

Johnstown High School, City of Johnstown, **Cambria County**. Von E. Fisher, KU Resources, Inc., One Library Place, Suite 207, Duquesne, PA 15110 (on behalf of Donald Irwin, Greater Johnstown School District, 1091 Broad Street, Johnstown, PA 15906 and Deborah Walters, Johnstown Redevelopment Authority, Fourth Floor, 401 Washington Street, Johnstown, PA 15901) has submitted a Remedial Investigation Report, Risk Assessment Report and a Cleanup Plan concerning remediation of site soil and groundwater contaminated with Chlorinated Solvents, Inorganics, Leaded Gasoline, PAHs, Unleaded Gas, Used Motor Oil, Diesel Fuel and Other Organics. The reports are intended to document remediation of the site to meet the Site Specific Standard.

Chapel Harbor Site, O'Hara Township, **Allegheny County**. David R. Perry, American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668 (on behalf of Chapel Harbors at the Water, LLC, c/o Zambrano Corporation, 1650 Main Street, Pittsburgh, PA 15215) has submitted a Remedial Investigation Report and a Risk Assessment Report concerning remediation of site groundwater contaminated with solvents. The reports are intended to document remediation of the site to meet the Site Specific Standard.

LTV Southside Works (Rivertech Centre), City of Pittsburgh, **Allegheny County**. Martin Knuth, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, PA 15219 and Rivertech Centre Associates LP, c/o Lohrmer Real Estate, 5850 Ellsworth Ave., Suite 303, Pittsburgh, PA 15232) has submitted a Final Report concerning the remediation of site soil contaminated with Benzo(a)pyrene. The report is intended to document remediation of the site to meet the Site Specific Standard.

Department of Environmental Protection Site No. 7, Perry Township, **Armstrong County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

Craig Lagoon, Perry Township, **Armstrong County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

Wade Armstrong, Perry Township, **Armstrong County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of

Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

Craig 3B, Perry Township, **Armstrong County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

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) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its 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 after 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 listed. 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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Dallas Miller Service Station, Douglass Township, **Montgomery County**. Eric P. Kohlsaas, AMEC Earth & Environmental, Inc., 285 Davidson Ave., Somerset, NJ 08873, on behalf of Kathy Miller, 858 Forgedale Rd., Barto, PA 19504, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The Final report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on April 3, 2003.

Proposed Broad-Moore Development, City of Philadelphia, **Philadelphia County**. James Gallagher, P. E., Pennoni Associates, Inc., 950 Clifton Ave., Clifton, NJ 07013, on behalf of Redevelopment Authority of the City of Philadelphia, Hope Yusem, 1234 Market St., 16th Fl., Philadelphia, PA 19107, has submitted a Final Report concerning the remediation of site soil contaminated with lead and other organics. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 11, 2003.

Former Hygrade Foods Site, City of Philadelphia, **Philadelphia County**. Stephen A. Batiste, Brown & Caldwell, 501 Great Circle Rd., Suite 150, Nashville, TN 37228, on behalf of City of Philadelphia (International Airport), Stacey Robinson, Property Management and Business Development Unit, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with diesel fuel and Fuel Oil No. 6. The report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on April 7, 2003.

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

Bennett Truck Transportation, Upper Leacock Township, **Lancaster County**. GemChem, Inc., P. O. Box 384, Lititz, PA 17543-0384, on behalf of Bennett Truck Transport, LLC, 1001 Industrial Parkway, McDonough, GA 30253 and Ruth Widders, 213 West Main Street, Leola, PA 17540, submitted a Final Report concerning remediation of site soils contaminated with benzene,

cumene, ethyl benzene, fluorene, naphthalene, phenanthrene and toluene. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 2, 2003.

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

Lock Haven Auto Company, City of Lock Haven, **Clinton County**. Converse Consultants, on behalf of the City of Lock Haven, 20 East Church Street, Lock Haven, PA 17745-2599, has submitted a Work Plan in partial fulfillment of the Special Industrial Area requirements. This Work Plan was approved by the Department on March 18, 2003. See additional entry in the Applications section of this *Pennsylvania Bulletin*.

Frank Volz Property, Smithfield Township, **Bradford County**. S & M Management, Inc., on behalf of Frank Volz, 46b Mermaid Drive, Manahawkin, NJ 08050, has submitted a Final Report concerning soil contaminated with BTEX, PHCs and PAHs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 8, 2003.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

River Park Commons, City of Pittsburgh, **Allegheny County**. David R. Perry, American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668 (on behalf of Ronald Taquinio, R. J. Equities, L. P., 2403 Sidney Street, Suite 200, Pittsburgh, PA 15203 and Earl Brandt, Brookwood, Inc., P. O. Box 9269, Myrtle Beach, SC 29578) has submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline and unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 6, 2003.

LTV Steel Company—East Mills Disposal Area, Midland Borough, **Beaver County**. Karen E. Souza, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of LTV Steel Company Inc., 200 Public Square, Cleveland, OH 44114-2308) has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with heavy metals and solvents. The Remedial Investigation Report was approved by the Department on April 9, 2003.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

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

Permit No. PA0000193334. Goldschmidt Industrial Chemical Corporation, 941 Robinson Highway, McDonald, PA 15057-2213. Operation of a hazardous waste storage and treatment facility in Robinson Township, **Washington County**. Application withdrawn in the Regional Office effective April 11, 2003.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

General Permit No. WMGR081D001, Unicor Federal Prison Industries, Inc., P. O. Box 10, Lewisburg, PA 17837-0010. The processing prior to beneficial use of uncontaminated and source separated electronics equipment by sorting, disassembling and mechanical processing, for use, reuse or recycling by salvaging metals, plastics, electronic or mechanical components. The Department issued the determination of applicability on April 4, 2003.

Persons interested in reviewing a general permit may contact the General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Rachel Carson State Office Bldg., P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 300904. International Paper Company, P. O. Box 268, Lock Haven, PA 17745-0268, located in Castanea Township, **Clinton County.** The Major Permit Modification was issued for the Residual Waste Landfill by the Williamsport Regional Office on April 8, 2003.

Permit No. 400468. Geisinger Health System, 100 N. Academy Avenue, Danville, PA 17822-2900, located in Mahoning Township, **Montour County.** A 10 year permit renewal was issued for the Infectious Waste Processing Facility by the Williamsport Regional Office on April 10, 2003.

Persons interested in reviewing the permit may contact David Garg, P. E., Acting Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

09-310-065GP: GROWS Landfill (1121 Bordentown Road, Morrisville, PA 19067) on April 8, 2003, for a jaw crusher unit in Falls Township, **Bucks County.**

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.

09-0159: Colorcon (171 New Britain Boulevard, Chalfont, PA 18914) on April 9, 2003, for operation of no-tox production in New Britain Township, **Bucks County.**

23-0009B: Boeing Aircraft and Military Sys. Group (Stewart Avenue and Route 291, Ridley, PA 19078) on April 10, 2003, for operation of a three-stage dry filter paint booth in Ridley Township, **Delaware County.**

09-0027C: Fres-co System USA, Inc. (3005 State Road, Telford, PA 18969) on April 10, 2003, for operation of a rubber roller resurfacing lathe in West Rockhill Township, **Bucks County.**

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

45-302-070: Pocono Medical Center (206 East Brown Street, East Stroudsburg, PA 18301) on April 14, 2003, for construction of two natural gas no. 2 oil fired boilers and associated low NOx technology at their facility in East Stroudsburg Borough, **Monroe County.**

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

22-05007: The Harrisburg Authority (One Keystone Plaza, Suite 104, Harrisburg, PA 17101) for modifications to derate the Harrisburg Materials, Energy, Recycling and Recovery Facility in the City of Harrisburg, **Dauphin County.** This approval also included the installation of water injection and powdered activated carbon injection systems to control dioxin/furan emissions.

36-03121: Cadmus Journal Services (1991 Northampton Street, Easton, PA 18042) for installation of one web press at their Lancaster Press facility in West Hempfield Township, **Lancaster County.**

67-05004: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362-0500) for modification of a pine chip bin HVLC project at its facility in Spring Grove Borough, **York County.** This modification is subject to 40 CFR Part 60, Subpart BB—Standards of Performance for

Kraft Pulp Mills and 40 CFR Part 63, Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.

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

26-00536A: Custom Carbon Products, Inc. (2252 University Drive, Suite 500, Lemont Furnace, PA 15456-0180) on April 11, 2003, for construction and operation of a carbon product facility controlled by a fabric collector at their Custom Carbon facility in North Union Township, **Fayette County**.

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

25-00987: Hanes Erie, Inc. (7601 Kleir Drive, Fairview, PA 16415) on March 19, 2003, for construction of spray coating lines at their Fairview Township, **Erie County** facility.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.

59-00004B: Ward Manufacturing, Inc. (115 Gulick Street, Blossburg, PA 16912) on April 8, 2003, for operation of an existing air cleaning device (a fabric collector) to control the particulate matter emissions from an additional source (a sand silo) and for the use of propane as an alternate fuel in their natural gas-fired foundry warm box core-making machine in Blossburg Borough, **Tioga 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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-00371: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) on April 8, 2003, for operation of building 55, Ta/Nb production in Douglass Township, **Montgomery County**.

46-322-007: Waste Management Disposal Service of PA (1425 Sell Road, Pottstown, PA 19464) on April 8, 2003, for operation of a municipal solid waste landfill in West Pottsgrove Township, **Montgomery County**.

15-0027D: Johnson Matthey (434 Devon Park Drive, Wayne, PA 19087) on April 8, 2003, for operation of a coating line no. 7 and SCR in Tredyffrin Township, **Chester County**.

23-0094: Steinbeis Packaging, LLC (1515 Garnet Mine Road, Boothwyn, PA 19061) on April 9, 2003, for operation of a rotogravure printing press in Bethel Township, **Delaware County**.

AQ-SE-0014: Haines and Kibblehouse, Inc. (640 Cowpath Road, Montgomeryville, PA 18936) on April 10, 2003, for a portable crushing plant in Lower Pottsgrove Township, **Montgomery County**.

46-0024A: McNeil Consumer and Specialty Pharmacy (7050 Camp Hill Road, P. O. Box 313, Fort Washington, PA 19034) on April 10, 2003, and April 11, 2003,

for operation of a dust collection system in Whitemarsh Township, **Montgomery County**.

09-0106: Univar USA, Inc. (Steel Road, Morrisville, PA 19067) on April 14, 2003, for operation of a chemical distribution facility in Falls Township, **Bucks County**.

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

36-03136: Keystone Quality Products, LLC (63 South Groffdale Road, New Holland, PA 17557) on December 20, 2002, for construction of three paint spray booths controlled by a dry arrestor and fiberglass filter pads in Upper Leacock Township, **Lancaster County**. This plan approval was extended.

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

08-399-048: OSRAM SYLVANIA Products, Inc. (Hawes Street, Towanda, PA 18848) on April 8, 2003, for operation of five ammonium chloride solution storage tanks and associated air cleaning devices, five conservation vents and one fiber bed diffusion filter on a temporary basis until August 6, 2003, in North Towanda Township, **Bradford County**. The plan approval was extended.

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

65-00659: Better Materials Corp. (P. O. Box 721, Berkeley Springs, WV 25411-0184) on March 27, 2003, for installation of their Adamsburg asphalt plant in Hempfield Township, **Westmoreland County**. This plan approval was extended.

04-00226: Betters Materials Corp. (P. O. Box 721, Berkeley Springs, WV 25411-0184) on March 27, 2003, for installation of their Sewickley Heights asphalt plant in Economy Borough, **Beaver County**. This plan approval was extended.

63-307-027: American Iron Oxide Production (Foster Plaza, Number 7, 661 Andersen Drive, Pittsburgh, PA 15220) on March 24, 2003, for installation of an iron oxide production plant in Allenport Borough, **Washington County**. This plan approval was extended.

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

42-00176: Temple Inland Forest Products Corp.—MDF Plant (Hutchins Road, Mount Jewett, PA 16740) on March 31, 2003, for construction of a cyclone in their Sargeant Township, **McKean County** facility.

10-00001: AK Steel Corp.—Butler Works (Route 8 South, Butler, PA 16003) on March 31, 2003, for installation of a steel ladle skimming operation in their Butler, **Butler County** facility.

25-00987: Hanes Erie, Inc. (7601 Klier Drive, Fairview, PA 16415) on March 31, 2003, for construction of a spray coating line in their Fairview Township, **Erie County** facility.

16-00035: The Commodore Corp. (Route 66 North Clarion, PA 16214) on March 31, 2003, for post-construction of sources in Clarion, **Clarion County**.

20-00145: PPG Industries, Inc. (Kebert Industrial Park, Meadville, PA 16335) on April 30, 2003, for modifi-

cation of Line No. 1 Glass Melting Furnace in their Greenwood Township, **Crawford County** facility.

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

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

21-05038: Holy Spirit Hospital (503 North 21st Street, Camp Hill, PA 17011) on April 8, 2003, for operation of a medical waste incinerator in East Pennsboro Township, **Cumberland County**.

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

25-00029: Erie Coke Corp. (End of East Avenue, Erie, PA 16512-6180) on April 9, 2003, for modification of their Title V Operating Permit (issued August 25, 1999) to change conditions with regards to the enclosed quench car being out of service for maintenance in the City of Erie, **Erie County**. They also, added a new source (Parts Cleaner: Source 101) that was previously listed in the Miscellaneous Section of the permit because of the change in 25 Pa. Code § 129.63.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

AQ-SE-0010: Valley Forge Land Clearing and Wood Recycling (Route 23 and Frog Hollow Road, Phoenixville, PA 19460) on April 15, 2003, for operation of a portable wood grinder in East Vincent Township, **Chester County**.

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

01-03002: Vulcan Construction Materials, LP (5601 Ironbridge Parkway, Chester, VA 23831) on April 9, 2003, for operation of a limestone crushing plant in Oxford Township, **Adams County**.

22-03053: ConAgra Foods, Inc. d/b/a ConAgra Flour Milling Co. (99 Second Street, Highspire, PA 17034) on April 8, 2003, for operation of a flourmill in Highspire Borough, **Dauphin County**.

67-03043: Envirite of PA, Inc. (730 Vogelsong Road, York, PA 17404) on April 8, 2003, for operation of a refuse systems facility in the City of York, **York County**.

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

65-00598: Citizens General Hospital (651 Fourth Avenue, New Kensington, PA 15068) on April 8, 2003, for operation of two natural gas and two oil boilers in New Kensington, **Westmoreland County**.

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

43-00329: White Rock Silica Sand Co., Inc. (331 Methodist Road, Greenville, PA 16125) for a Natural Minor Operating Permit for air emissions from sandstone crushing and sizing and emissions from a diesel generator in their Hempfield Township, **Mercer County** facility.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

AQ-SE-0014: Haines and Kibblehouse, Inc. (640 Cowpath Road, Montgomeryville, PA 18936) on April 10, 2003, for a portable crushing plant in Lower Pottsgrove Township, **Montgomery County**.

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

22-03037: Consolidated Scrap Resources, Inc. (120 Hokes Mill Road, P. O. Box 389, York, PA 17405) on April 3, 2003, for operation of a metal scrap shredder and a cyclone in the City of Harrisburg, **Dauphin County**. This permit was administratively amended to correct typographical errors. This is Revision No. 1 of the permit.

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

Coal Permit Actions

McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.

30841320. NPDES Permit PA0213861, Dana Mining Co. of PA, Inc. (P. O. Box 1209, Morgantown, WV 26507), to revise the permit for the Dooley Run Mine in Dunkard Township, **Greene County**, for revision to add 9.0 acres underground, 51.4 acres subsidence control plan, Surface Acres Proposed N/A, Underground Acres Proposed 9.0, SCP Acres Proposed 51.4, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued March 28, 2003.

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

33920109 and NPDES Permit No. PA0211427. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849). Renewal of an existing bituminous strip and auger operation in Winslow Township, **Jefferson County** affecting 315.0 acres. Receiving streams: Trout Run, McCreight Run and unnamed tributary to Soldier Run. Application received February 6, 2003. Permit issued April 2, 2003.

61980103. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous strip operation to add 7.0 acres to the surface mining permit in Irwin Township, **Venango County**. Total acreage is 111.0 acres. Receiving streams: five unnamed tributaries to Scrubgrass Creek. Application received January 17, 2003. Permit issued April 2, 2003.

10020105 and NPDES Permit No. PA0242225. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous strip operation in Slippery Rock Township, **Butler County** affecting 43.8 acres. Receiving streams: unnamed tributaries to Long Run and unnamed tributaries to Slippery Rock Creek. Application received October 10, 2002. Permit issued April 2, 2003.

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

56890101 and NPDES Permit No. PA0598364. Croner, Inc., P. O. Box 260, Friedens, PA 15541, permit revision for a variance to conduct surface mining activities within 100 feet of the right-of-way of SR 2027 in Brothersvalley Township, **Somerset County**, affecting 205.9 acres. Receiving streams: unnamed tributaries to Buffalo Creek (CWF) and Buffalo Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received January 7, 2003. Permit issued April 7, 2003.

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

03860111 and NPDES Permit No. PA0589144. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Renewal permit for continued mining and reclamation of an existing bituminous surface mine located in East Franklin Township, **Armstrong County**, affecting 667 acres. Receiving streams: unnamed tributaries to Allegheny River. Renewal application received February 5, 2003. Renewal permit issued April 10, 2003.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

17860104 and NPDES Permit No. PA0611077. Sky Haven Coal, Inc., R. R. 1, Box 180, Penfield, PA 15849. Renewal of an existing bituminous surface mine permit in Girard Township, **Clearfield County** affecting 255 acres. Receiving streams: unnamed tributaries to Deer Creek, Deer Creek and an unnamed tributary to Buck Run to Buck Run to Deer Creek to the West Branch of the Susquehanna River to the Susquehanna River. Application received March 7, 2003.

17930103 and NPDES Permit No. PA0207241. Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866. Renewal of an existing bituminous surface mine permit in Decatur Township, **Clearfield County** affecting 309.9 acres. Receiving streams: Little Beaver Run, Beaver Run, unnamed tributaries of Beaver Run. Application received March 6, 2003.

Noncoal Permit Actions

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

58020850. Timothy Finch (R. R. 1 Box 248E, Springville, PA 18844), commencement, operation and restoration of a quarry operation in Jessup Township, **Susquehanna County**, affecting 5.0 acres, receiving stream: Middle Branch Wyalusing Creek. Application received October 21, 2002. Permit issued April 9, 2003.

35020801. Diggitt Corporation (946 Springbrook Avenue, Moosic, PA 18507), commencement, operation and restoration of a quarry operation in Moosic Borough, **Lackawanna County** affecting 1.0 acre, receiving stream: tributary to Mill Creek. Application received October 30, 2002. Permit issued April 9, 2003.

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

4274SM11 and NPDES Permit No. PA0212512. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA 16664, permit revision to increase the permitted depth of the quarry from elevation 1,000 feet to elevation 950 feet on the Phase I (northern) area only in Taylor Township, **Blair County**, affecting 430 acres. Receiving streams: Plum Creek and Halter Creek (WWF). There are no potable water supply intakes within 10 miles downstream. Application received July 9, 2002. Permit issued April 7, 2003.

31020301 and NPDES Permit No. PA0249190. U. S. Silica Company, R. D. 1, Box 1885, Mapleton Depot, PA 17052, commencement, operation and restoration of a noncoal surface mine in Brady Township, **Huntingdon County**, affecting 92.3 acres. Receiving streams: Mill Creek to Juniata River (TSF). There are no potable water supply intakes within 10 miles downstream. Application received March 21, 2002. Permit issued April 8, 2003.

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. 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 Permit Actions

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

02034001. Pyramid Excavating (650 Washington Rd., Ste. 650, Pittsburgh, PA 15228-2702) for construction blasting, located at Collier Township, **Allegheny County**, with an expected duration of 120 days. Permit issued April 14, 2003.

02034002. BKG Industries (3055 Santiago Rd., Imperial, PA 15126) for construction blasting, located in Robinson Township, **Allegheny County**, with an expected duration of one year. Permit issued April 14, 2003.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

14034004. Galen Dreibelbis, 1535 N. Atherton Street, State College, PA 16803 for construction blasting, located in Ferguson Township, **Centre County** with an expected duration of 82 days. Permit issued April 10, 2003.

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(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein 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 may 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 to 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 P.S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

Permits Issued and Actions on 401 Certifications

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

E15-699. Estate of Averell Penn Smith Walker, P. O. Box 613, Unionville, PA 19375, East Marlborough Township, **Chester County**, ACOE Philadelphia District.

To replace and maintain an existing bridge with a single cell box reinforced concrete culvert bridge measuring 15 foot long by 22 foot wide by 6.7 foot high over the west branch of the Red Clay Creek (TSF). The work will involve grading and construction work in the floodway, including placement of riprap protection approximately 15 linear feet of permanent impact and 35 feet of temporary

impact along the Red Clay Creek. The project site is located approximately 3,000 feet south of the intersection of Poplar and Wollaston Roads (Unionville, PA Quadrangle N: 1.40 inches; W: 15.50 inches).

E09-852. Pennsbury School District, 134 Yardley Avenue, P. O. Box 338, Fallsington, PA 19058, Falls Township, **Bucks County**, ACOE Philadelphia District.

To expand and maintain a portion of the Penn Valley Elementary School located in the 100-year floodplain of the Martins Creek (WWF). Work will include construction of sidewalks, a driveway and a playing area. The site is located just west of the intersection of North Turn Lane and Park Drive (Trenton West, NJ-PA USGS Quadrangle N: 6.8 inches; W: 9.6 inches).

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

E48-331. Bethlehem Township, 4225 Easton Avenue, Bethlehem, PA 18020-1496. Bethlehem Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 440 LF channel change having a 5 foot bottom width, a 1.4% channel slope and 6 H:1V maximum side slopes in a tributary to Nancy Run (CWF-MF, Perennial) for the purpose of preventing flooding of an exercise path in Bethlehem Township Municipal Park. The project is located approximately 0.5 mile southeast of the intersection of SR 2020 (William Penn Highway) and SR 2011 (Farmersville Road) (Nazareth, PA Quadrangle N: 6.4 inches; W: 7.3 inches) (Subbasin 2C).

E40-579. Luzerne County Flood Protection Authority, Luzerne County Courthouse, 200 North River Street, Wilkes-Barre, PA 18711-1001. Wilkes-Barre Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a stream enclosure of Coal Brook (CWF, intermittent), consisting of approximately 1,800 linear feet of 9.0-foot diameter polymer-coated CMP. The project is known as Phase 1 of the Coal Brook Flood Mitigation Project. The project is located upstream of Highland Park Boulevard (SR 2063) (Wilkes-Barre East, PA Quadrangle N: 21.0 inches; W: 13.1 inches) (Subbasin 05B).

E48-330. Borough of Bath, P. O. Box 37, Bath, PA 18014. Borough of Bath, **Northampton County**, Army Corps of Engineers Philadelphia District.

To remove a concrete center pier at the site of a former railroad bridge and to construct and maintain a public pedestrian bridge on the existing abutment having a single span of 38 feet and an underclearance of 6 feet across Monocacy Creek (HQ-CWF, Perennial) for the purpose of providing a connection between a new Borough park and the town center. The project is located between Northampton Street and West Main Street, approximately 550 feet west of SR 0512 (Catasauqua, PA Quadrangle N: 18.5 inches; W: 2.8 inches) (Subbasin 2C, stream width 12 feet, length 8 feet).

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

E38-134. Friends of Old Annville, Quittie Creek Nature Park Committee, 308 East Main Street, Annville, PA 17003 in Annville and South Annville Townships, **Lebanon County**, ACOE Baltimore District.

To construct and maintain a 72-foot long pedestrian bridge and a boardwalk, having a total span of 153 feet, with associated concrete piers across the Quittapahilla

Creek (TSF) at a point along Bachman Road (Palmyra, PA Quadrangle N: 14.0 inches; W: 1.0 inch) in Annville and South Annville Townships, Lebanon County.

E36-749: Providence Township Board of Supervisors, 200 Mt. Airy Road, New Providence, PA 17560 in Providence Township, **Lancaster County**, ACOE Philadelphia District.

To remove the existing stone abutments and deteriorated concrete decks and to construct and maintain two bridges with cast-in-place concrete abutments and wooden decks at a point/points over Huber Run (CWF) along Snyder Hollow Road (Conestoga, PA Quadrangle N: 6.5 inches; W: 0.5 inch and N: 7.4 inches; W: 0.5 inch) in Providence Township, Lancaster County.

E06-574: Centre Township, 449 Bucks Hill Road, Mohrsville, PA 19541 in Centre Township, **Berks County**, ACOE Philadelphia District.

To remove the existing 17-foot 9-inch span girder bridge and to construct and maintain a 24-foot span concrete box culvert with a 6-foot 6-inch rise 29-feet long at a point crossing Irish Creek (WWF) along Trolley Road (T-726) (Bernville, PA Quadrangle N: 18.5 inches; W: 14.1 inches), in Centre Township, Berks County. The amount of wetland impact is considered a de minimis impact of 0.05 acre and wetland mitigation is not required.

E22-447: East Hanover Township, 8848 Jonestown Road, Grantville, PA 17028 in East Hanover Township, **Dauphin County**, ACOE Baltimore District.

To rehabilitate and maintain an existing bridge, having a span of 35 feet and an underclearance of 6 feet, by replacing the superstructure and stabilizing the stream bank across the channel of Bow Creek (WWF) at a point at South Meadow Lane (T-625) (Hershey, PA Quadrangle N: 19.60 inches; W: 3.60 inches) in East Hanover Township, Dauphin County.

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

E02-1346. High Performance Builders, G. P., 210 Whittengale Road, Oakdale, PA 15071. North Fayette Township, **Allegheny County**, Pittsburgh ACOE District (Oakdale, PA Quadrangle N: 4.7 inches; W: 17.0 inches). The applicant proposes to construct and maintain an arch culvert having a span of 23.88 feet with an underclearance of 8.5 feet in North Branch Robinson Run located on the south side of North Branch Road, approximately 400 feet west from the intersection of North Branch Road and Seabright Road and to construct and maintain an arch culvert having a span of 29.54 feet with an underclearance of 9.5 feet in said stream located on the south side of North Branch Road, approximately 270 feet east from the intersection of North Branch Road and Seabright Road to provide access to the proposed single family homes subdivision. This permit also authorizes the placement and maintenance of riprap bank protection at the culvert sites. The project will permanently impact a total of 110.0 feet of North Branch Robinson Run (WWF).

E02-1380. Sewickley Harbor, Inc., 200 Dawson Street, Sewickley, PA 15143. Glenfield Borough, **Alle-**

gheny County, Pittsburgh ACOE District (Ambridge, PA Quadrangle N: 3.0 inches; W: 0.8 inch). The applicant proposes to operate and maintain an existing 460 feet long marina along the right bank of the Ohio River (WWF) at River Mile 8.7 and to construct and maintain a new 1,040 feet long small craft docking facility along the right bank of the Ohio River at River Mile 8.5. This permit will also authorize the operation and maintenance of the facilities constructed under Permits 19462, 11642A and 11455 originally issued to Crain Brothers at River Mile 8.5 for barge unloading facility. These three permits are now replaced by Permit E02-1380.

SPECIAL NOTICES

Certified Emission Reduction Credits (ERC) in the Commonwealth's ERC Registry

ERCs are surplus, permanent, quantified and Federally enforceable emission reductions used to offset emission increases of NO_x, VOCs and the following criteria pollutants: CO, Pb, SO_x, PM, PM₁₀ and PM₁₀ precursors.

The Department of Environmental Protection (Department) maintains an ERC registry in accordance with the requirements of 25 Pa. Code § 127.209. The ERC registry system provides for the tracking of the creation, transfer and use of ERCs. Prior to registration of the credits, ERC registry applications are reviewed and approved by the Department to confirm that the ERCs meet the requirements of 25 Pa. Code §§ 127.206—127.208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. The following registered and certified ERCs in the ERC Registry are currently available for use as follows:

- (1) To satisfy new source review (NSR) emission offset ratio requirements.
- (2) To "net-out" of NSR at ERC-generating facilities.
- (3) To sell or trade the ERCs for use as emission offsets at new or modified facilities.

The certified ERCs, expressed in tons per year (tpy), satisfy the applicable ERC requirements contained in 25 Pa. Code §§ 127.206—127.208. ERCs created from the curtailment or shutdown of a source or facility expires for use as offsets 10 years after the emission reduction occurs. ERCs generated by the overcontrol of emissions by an existing facility do not expire for use as offsets. However, credits in the registry that are not used in a plan approval will be discounted if new air quality requirements are adopted by the Department or the EPA.

For additional information concerning this listing of certified ERCs, contact Virendra Trivedi, Bureau of Air Quality, Division of Permits, Department of Environmental Protection, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. This report and additional ERCs listing is located at www.dep.state.pa.us, select Subjects, Air Quality, Business, Permits, Emission Reduction Credits.

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
United States Naval Hospital County: Philadelphia Nonattainment Status: Severe Contact Person: Mark Donato, (215) 897-1809	NOx	30.50	3/31/2005	Trading
R. R. Donnelley & Sons Co. County: Lancaster Ozone Nonattainment Status: Moderate Contact Person: Frederick Shaak, Jr.	VOCs	54.00		Internal Use
R. R. Donnelley & Sons Co. County: Lancaster Ozone Nonattainment Status: Moderate Contact Person: Frederick Shaak, Jr.	VOCs	25.00	3/30/2011	Internal Use
Kurz Hastings Inc. County: Philadelphia Nonattainment Status: Severe Contact Person: George Gornick, (215) 632-2300	VOCs	137.45		Trading
ConAgra Grocery Products Company Source Location: Milton Borough County: Northumberland Ozone Nonattainment Status: Moderate Contact Person: Karl Henschel, (570) 742-6644	NOx VOCs	24.45 12.88	4/1/2006	Trading
Metallized Paper Corporation of America Recipient/Holder: PNC Bank, National Association, assignee (by private lien foreclosure) from Metallized Paper Corp. Source Location: McKeesport County: Allegheny Ozone Nonattainment Status: Moderate Contact Person: Martin Mueller, (412) 762-5263	VOCs	41.70	6/30/2006	Trading
PPG Industries, Inc. Source Location: Springdale Complex County: Allegheny Ozone Nonattainment Status: Moderate Contact Person: Lori Burgess, (412) 274-3884	VOCs	171.82		Trading
York International Corporation Sources: Trichloroethylene Vapor Degreaser (151); Trichloroethylene Vapor Degreaser (152) Source Location: Spring Garden Township County: York Ozone Nonattainment Status: Moderate Contact Person: Garen Macdonald, (717) 771-7346	VOCs VOCs	12.20 2.70	6/01/2006 10/1/2005	Trading
REXAM DSI Source Location: Muhlenberg Township County: Berks Ozone Nonattainment Status: Moderate Contact Person: LeRoy H. Hinkle, (610) 916-4248	NOx SOx	9.42 51.05	11/22/2005	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Recipient/Holder of ERC: Coastal Aluminum Rolling Mills Inc. ERC Generating Facility: Fasson Div. of Avery Dennison Corp. ERC-generating facility location: Quakertown, Bucks Ozone Nonattainment Status: Severe Contact Person: Jesse Hackenberg, (570) 323-4430	VOCs	3.62		Internal Use/ Trading
Recipient/Holder of ERC: PG&E Energy Trading-Power, L. P. ERC Generating Facility: Fasson Div. of Avery Dennison Corp. ERC-generating facility location: Quakertown, Bucks Ozone Nonattainment Status: Severe Contact Person: Mark Sheppard, (301) 280-6607	VOCs	39.84	8/1/2006	Trading
Baldwin Hardware Corporation Source Location: Reading County: Berks Ozone Nonattainment Status: Moderate Contact Person: D. David Hancock, Jr., (215) 777-7811	VOCs	18.00	7/28/2005	Trading
Magee Rieter Automotive Systems Source Location: Bloomsburg County: Columbia Ozone Nonattainment Status: Moderate Contact Person: Tim Bergerstock, (717) 784-4100	NOx VOCs	0.39 0.02	4/17/2006	Internal Use
Congoleum Corporation Source Location: Marcus Hook County: Delaware Ozone Nonattainment Status: Severe Contact Person: Theresa C. Garrod, (609) 584-3000	NOx	5.20		Trading
Dominion Transmission, Inc. CNG Transmission Corporation Source Location: Leidy Township County: Clinton Ozone Nonattainment Status: Moderate Contact Person: Sean R. Sleigh, (304) 623-8462	NOx VOCs	15.28 0.55	10/27/2004	Internal Use and Trading
Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Ozone Nonattainment Status: Moderate Contact Person: Joseph E. Schindler, (610) 694-5104	NOx VOCs	1,054.00 473.80	Varies from 3/28/2008 to 6/19/2008	Trading
Morgan Adhesives Company (MACtac) Source Location: Scranton County: Lackawanna Ozone Nonattainment Status: Moderate Contact Person: Tim Owens, (330) 688-1111	VOCs	75.00	6/30/2008	Trading
Meritor Heavy Vehicle Systems LLC Source Location: New Castle County: Lawrence Ozone Nonattainment Status: Moderate Contact Person: Harry Klodowski, (724) 940-4000	NOx	54.40	5/31/2003	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
National Fuel Gas Supply Corporation Sources: Generators, No. 1 Source Location: Ellisburg Station County: Potter Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young, (814) 871-8657	NOx VOCs	16.14 1.80	2/1/2009	Internal Use
General Electric Company Source Location: Lawrence Park County: Erie Ozone Nonattainment Status: Moderate Contact Person: Scott Gowdy, (814) 875-2427	VOCs	44.20	Varies from 12/31/2003 to 12/31/2005	Internal Use/ Trading
Sun Company, Inc. Source: API Separator 10 and 1-F Source Location: Marcus Hook County: Delaware Ozone Nonattainment Status: Severe Contact Person: John A. Rossi	VOCs	2.37	9/30/2004	Internal Use
TYK America, Inc. Source Location: Irvona Facility County: Clearfield Ozone Nonattainment Status: Moderate Contact Person: David B. Orr, (412) 384-4259	NOx VOCs PM10	0.30 0.02 0.24	11/6/2008	Trading
SmithKline Beechman Pharmaceuticals Sources: Two boilers and oxidizer Source Location: Spring Garden Street Facility County: Philadelphia Ozone Nonattainment Status: Severe Contact Person: Eileen Ackler, (610) 239-5239	NOx VOCs	5.72 0.10	12/31/2008	Trading
Recipient/Holder of ERC: PG&E Energy Trading-Power, L. P. ERC Generating Facility: Global Packaging, Inc. ERC-generating facility location: Oaks Plant, Montgomery County Ozone Nonattainment Status: Severe Contact Person: Sarah M. Barpoulis, (301) 280-6607	VOCs	7.70	9/1/2006	Trading
Recipient/Holder of ERC: PG&E Energy Trading-Power, L. P. ERC Generating Facility: Global Packaging, Inc. ERC-generating facility location: Oaks Plant, Montgomery County Ozone Nonattainment Status: Severe Contact Person: Sarah M. Barpoulis, (301) 280-6607	VOCs	43.50		Trading
The Procter & Gamble Paper Products Company Source Location: Mehoopany Plant County: Wyoming Ozone Nonattainment Status: Moderate Contact Person: Lars Lundin, (570) 833-3545	NOx VOCs	136.00 237.67	5/3/2009	Internal Use/ Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Recipient/Holder of ERC: Air Resources Group, LLC ERC Generating Facility: Cogentrix of Pennsylvania, Inc. ERC-generating facility location: Ringgold Township County: Jefferson County Ozone nonattainment status: Moderate Contact Person: David Alexander	NOx	658.72	9/1/2010	
Cogentrix of Pennsylvania, Inc. Source Location: Ringgold Township County: Jefferson County Ozone nonattainment status: Moderate Contact Person: Tracy Patterson, (804) 541-4246	VOCs	31.61	9/1/2010	Trading
Caparo Steel Company Source: EAF Furnace No. 2 and Ladle Preheater No. 2 Source Location: Farrell Plant County: Mercer County Ozone nonattainment status: Moderate Contact Person: Richard A. Herman, (724) 983-6464	NOx VOCs	36.73 12.07	8/18/2007	Trading
LTV Steel Company, Inc. Source Location: Pittsburgh Coke Plant County: Allegheny Ozone Nonattainment Status: Moderate Contact Person: William L. West, (216) 642-7178	NOx VOCs	1,663.00 373.00	2/28/2008	Trading/ Internal Use
Kurz-Hastings, Inc. Source Location: Philadelphia County: Philadelphia Ozone Nonattainment Status: Severe Contact Person: Derrick Schweitzer, (215) 632-2300	VOCs	53.10		Trading
Newcomer Products Inc. Source Location: Latrobe County: Westmoreland Ozone Nonattainment Status: Moderate Contact Person: Edward M. Nemeth, (724) 694-8100	VOCs	26.00	7/14/2010	Trading
Smith-Steelite Plant: Emsworth Manufacturing Facility Ozone Nonattainment Status: Moderate Contact Person: Wm. K. Shadle, (412) 299-8167	VOCs	7.32	6/7/2004	Trading
Cyprus Cumberland Resources Corporation Source Location: Cumberland Mine, Whiteley Township County: Greene Ozone Nonattainment Status: Moderate Contact Person: Terry L. Dayton, (412) 627-2219	NOx VOCs	64.00 15.00	6/30/2005	Trading
Allegheny Ludlum Corp. Sources: Three electric arc furnaces Source Location: Washington Plant County: Washington Ozone Nonattainment Status: Moderate Contact Person: Deborah L. Calderazzo, (724) 226-5947	NOx	7.78	7/31/2004	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Armstrong World Industries Source Location: Beaver Falls County: Beaver Ozone Nonattainment Status: Moderate Contact Person: Wayne Pease, (412) 843-5700	VOCs	6.00	4/30/2003	Trading
Rohm & Haas County: Philadelphia Ozone Nonattainment Status: Severe Contact Person: Frank Jackson, (215) 537-4000	VOCs	6.10	7/31/2003	Trading
Scranton-Altoona Terminals Corporation Source Location: Monroe Township County: Cumberland County Ozone nonattainment status: Moderate Contact Person: Thomas M. Carper, (717) 939-0466	VOCs	4.84	9/30/2010	Trading
Pennzoil Wax Partner Company Source Location: Rouseville County: Venango Ozone Nonattainment Status: Moderate Contact Person: David W. Dunn, (713) 546-6941	NOx VOCs	15.47 0.68	2/26/2010	Trading
Pennzoil Wax Partner Company Source Location: Rouseville County: Venango Ozone Nonattainment Status: Moderate Contact Person: David W. Dunn, (713) 546-6941	NOx VOCs	2.82 44.34	4/1/2010	Trading
INDSPEC Chemical Corp. Source: Boiler No. 8 Source Location: Petrolia County: Butler Ozone Nonattainment Status: Moderate Contact Person: Terry Melis, (412) 756-2376	NOx	158.68		Trading
Sun Company, Inc. Sources: Separators Source Location: Marcus Hook Borough County: Delaware Ozone nonattainment status: Severe Contact Person: Steve Martini, (610) 859-1000	VOCs	81.88	9/30/2004	Trading/ Internal Use
Sun Company, Inc. Source: Wastewater Conveyance System Source Location: Marcus Hook Borough County: Delaware Ozone nonattainment status: Severe Contact Person: Steve Martini, (610) 859-1000	VOCs	426.59		Trading/ Internal Use
Jefferson Smurfit Corporation Source Location: Upper Providence Township County: Montgomery Ozone Nonattainment Status: Severe Contact Person: Joseph Timcik, (610) 935-4000	VOCs	12.4	5/31/2004	Trading/ Internal Use

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Columbia Gas Transmission Corporation Source Location: Kent Station County: Indiana Ozone nonattainment status: Moderate Contact Person: Gregory Lago, (304) 357-2079	NOx VOCs	44.36 2.66	5/31/2011	Trading
Columbia Gas Transmission Corporation Source Location: Homer Station County: Indiana Ozone nonattainment status: Moderate Contact Person: Gregory Lago, (304) 357-2079	NOx VOCs	45.89 3.79	5/31/2011	Trading
Bethlehem Steel Corporation Source: Rail Heat Treating and Quenching Source Location: Steelton Plant County: Dauphin Ozone Nonattainment Status: Moderate Contact Person: James R. Hernjak, (717) 986-2042	NOx VOCs	7.00 43.00	11/9/2009	Trading
General Electric Transportation System Source: Boiler No. 2 Source Location: E. Lake Road County: Erie Ozone nonattainment status: Moderate Contact Person: Mark D. Restifo, (814) 875-5406	NOx VOCs	280.90 1.70	12/31/2010	Trading
Hershey Foods Corporation Source Location: East Plant County: Dauphin Ozone Nonattainment Status: Moderate Contact Person: Shawn P. Greenwood, (610) 678-0552	NOx	189.00	10/4/2004	Trading
3M Minnesota Mining & Manufacturing Source Location: Bristol Plant County: Bucks Ozone Nonattainment Status: Severe Contact Person: Jeff Muffat, (651) 778-4450	VOCs VOCs	607.00 279.00	11/30/2011 12/17/2011	Trading
Standard Steel, Division of Freedom Forge Source Location: Burnham County: Mifflin Ozone Nonattainment Status: Moderate Contact Person: John O. Parke, (717) 248-4911	NOx VOCs	48.42 0.12	8/1/2003	Trading
Kosmos Cement Company, Cemex Inc. Source Location: Neville Road, Pittsburgh County: Allegheny Ozone nonattainment status: Moderate Contact Person: Amarjit Gill, (713) 653-8554	NOx VOCs	910.00 26.00	4/24/2011	Trading
Edgewater Steel Ltd. Source Location: College Avenue, Oakmont County: Allegheny Ozone nonattainment status: Moderate Contact Person: Peter M. Guzanick, (412) 517-7217	NOx VOCs	17.05 1.87	8/6/2008	Trading
Transit America, Inc. Source Location: One Red Lion Road Ozone Nonattainment Status: Severe Contact Person: Timothy J. Bergere, Esq., (215) 772-7431	NOx	43.8	4/30/2004	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
JG Furniture Group, Inc. Source Location: Quakertown, Bucks County: Bucks Ozone Nonattainment Status: Severe Contact Person: Donald Boisselle, (336) 410-7263	VOCs	24.4	9/1/2007	Trading
Recipient/Holder of ERC: Cypress Energy, Inc. ERC Generating Facility: Laclede Steel Corporation Source Location: Fairless County: Bucks Ozone nonattainment status: Severe Contact Person: Gary Stephenson, (781) 993-3098	NOx VOCs	104.00 45.00	11/29/2011	Trading
Recipient/Holder of ERC: Natsource Emissions Brokers ERC Generating Facility: Laclede Steel Corporation Source Location: Fairless County: Bucks Ozone nonattainment status: Severe Contact Person: David Oppenheimer, (212) 232-5305	NOx VOCs	0.27 1.50	11/29/2011	Trading
Trinity Industries, Inc. Source Location: Greenville County: Mercer County Ozone nonattainment status: Moderate Contact Person: Dennis Lencioni, (214) 589-8141	VOCs	61.65	10/31/2010	Trading
Rohm and Haas Company Source Location: Bristol Township County: Bristol Ozone nonattainment status: Severe Contact Person: Lloyd Davis, (215) 785-8871	VOCs VOCs	1.15 0.32	10/30/2010 1/30/2011	Trading
The Worthington Steel Company Source Location: Malvern, East Whiteland County: Chester Ozone nonattainment status: Severe Contact Person: Gregory Sautter, (614) 438-3197	VOCs	113.00	1/31/2012	Trading
PPL Inc. Source Location: Holtwood Station County: Lancaster Ozone nonattainment status: Moderate Contact Person: Linda A. Boyer, (610)-774-5410	NOx	1,745.47	4/29/2009	Trading
North American Refractories Company Source Location: Womelsdorf County: Lebanon Ozone Nonattainment Status: Moderate Contact Person: Rhonda Vete, (412) 469-6122	NOx NOx VOCs	5.11 62.57 0.25	12/15/2010 9/30/2008 9/30/2008	Trading
The Quaker Oats Company Source Location: Shiremanstown Plant County: Cumberland Ozone nonattainment status: Moderate Contact Person: Richard C. Pitzer, (717) 731-3334	NOx VOCs	4.00 1.68	Varies from 4/3/ 2010 to 7/15/2011	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Naval Surface Warfare Center Source Location: Philadelphia Naval Shipyard County: Philadelphia Ozone nonattainment status: Severe Contact Person: Mark Donato	VOCs	45.70	9/15/2005	Internal Use
Glasgow, Inc. Source Location: Plymouth Meeting County: Montgomery Ozone nonattainment status: Severe Contact Person: Brian Chabak, (215) 884-8800	NOx VOCs NOx VOCs	2.72 0.21 6.54 0.52	12/31/2010 12/31/2010 6/1/2010 6/1/2010	Trading
National Fuel Gas Supply Corp. Source Location: Van Compressor Station County: Erie County Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young, (814) 871-8657	NOx VOCs	80.9 0.65	7/19/2003	Trading
Scranton-Altoona Terminals Corporation Source Location: East Freedom Terminal County: Cumberland County Ozone nonattainment status: Moderate Contact Person: Thomas M. Carper, (717) 939-0466	VOCs	9.19	4/1/2009	Trading
SLI Lighting Inc. Source Location: Ellwood City County: Lawrence Ozone nonattainment status: Moderate Contact Person: Tim Haubach, (724) 752-6493	VOCs	5.70	6/3/2010	Trading

Summary of ERC Transaction

The following ERC transactions are approved by the Department's Bureau of Air Quality. The ERC transaction requirements are specified in 25 Pa. Code § 127.208.

ERC HOLDER/GENERATING FACILITY INFORMATION

ERC—Generating Facility Name: Newcomer Products Inc.

Location of Source: North of Latrobe, Latrobe, PA

Certified ERCs (tpy): 45 tpy of VOCs

Amount of ERCs traded to Purchaser/Recipient: 19 tpy of VOCs

Date of ERCs Transfer: 2/10/2003

ERCs available for future use: 26 tpy of VOCs

PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: Vulcraft of New York, Inc.

Location of Source: Chemung, Chemung County, NY

Plan Approval Number: 8-0728-00033

VOCs credits used: 19 tpy

VOCs credits available for future use: 0

ERC HOLDER/GENERATING FACILITY INFORMATION

ERC Holder/Transferor: Cypress Energy, L. P., Maryland
ERC Generating Facility Name: Quebecor World (USA) Inc.

Location of Source: Glen Burnie, MD

Certified ERCs (tpy): 56 tpy of VOCs

Amount of ERCs traded to Purchaser/Recipient: 56 tpy of VOCs

Date of ERCs Transfer: 3/21/2003

ERCs available for future use: 0

PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: Cabot Corporation

Location of Source: Boyertown, Montgomery County

VOCs credits used: 0

VOCs credits available for future use: 56 tpy

ERC—GENERATING FACILITY INFORMATION

ERC—Generating Facility Name: First Energy Solutions, Pennsylvania Power Company

Location of Source: New Castle Plant, Taylor Township, Lawrence County

Certified ERCs (tpy): 257.75 tpy of NOx

Amount of ERCs traded to Purchaser/Recipient: 55 tpy of NOx

Date of ERCs Transfer: 3/26/2003

ERCs available for future use: 0 tpy of NOx

PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: J & L Specialty Steel, Inc.

Location of Source: Midland, Beaver County

Plan Approval Number: 04-00013A

NOx credits used: 55 tpy of NOx

NOx credits available for future use: 0 tpy

ERC—GENERATING FACILITY INFORMATION

ERC—Generating Facility Name: LTV Steel Company, Inc.

Location of Source: Pittsburgh, Allegheny County

Certified ERCs (tpy): 1,663 tpy of NOx and 437 tpy of VOCs

Amount of ERCs traded to Purchaser/Recipient: 64 tpy of VOCs

Date of ERCs Transfer: 4/9/2003
 ERCs available for future use: 1,663 tpy of NOx and 373 tpy of VOCs

PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: PPL Lower Mount Bethel Energy, LLC
 Location of Source: Lower Mount Bethel Township, Northampton County
 Permit Number: 48-328-044
 NOx credits used: 0 tpy
 NOx credits available for future use: 64 tpy

BUREAU OF DEEP MINE SAFETY

Approval of Request for Variance

The Department of Environmental Protection, Bureau of Deep Mine Safety (Bureau) has approved DLR Mining, Inc.'s request for a variance from the requirements of section 224(b) of the Pennsylvania Bituminous Coal Mine Act (act) at the Ridge Mine. This notification contains a summary of this request and the basis for the Department's approval. A complete copy of the variance request may be obtained from Allison Gaida, (724) 439-7469 or from the Bureau website at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

Summary of the Request: DLR Mining, Inc. Ridge Mine requested a variance from section 224(b) of the act to utilize horizontal longhole drilling to meet the requirements of the act at the Ridge Mine. The proposal accords protections to persons and property substantially equal to or greater than the requirements of section 224(b) of the act.

The basis for the Bureau's approval is summarized as follows:

1. The long horizontal borehole method proposed in lieu of the requirements set forth in section 224 of the act is a proven technology that has been used successfully at other underground mines in this Commonwealth.
2. The long horizontal borehole method proposed is much less labor intensive and provides much less exposure to lifting and strain type injuries, by not having to handle and use hand-held drills and steels. By mining normal depth cuts, the work force will be subjected to less risk associated with equipment place changes, rather than mining the outside entry 8 feet at a time.
3. DLR Mining, Inc.'s proposed long horizontal borehole method provides a larger barrier for the protection of miners from contacting the abandoned mine over the requirements of section 224(b) of the act.
4. The long horizontal boreholes will provide a quicker method to close the borehole in the event of contacting the abandoned mine by closing the valve located at the end of the pipe grouted in the rib and will be more suitable for grouting, if needed.
5. The long horizontal borehole will provide a much larger area of coverage for protecting the workers against accidentally mining into the abandoned mine.

This approval is limited to the alternate method to drill test holes as required in section 224(b) of the act. Continued authorization for operation under the approval is contingent upon compliance with the measures described in Ridge Mine's plan.

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 may 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 to 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.

[Pa.B. Doc. No. 03-765. Filed for public inspection April 25, 2003, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website (www.dep.state.pa.us) at the Public Participation Center page. The "January 2003 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final Technical Guidance

DEP ID: 383-0830-001. Title: Quality Management Plan for the Bureau of Water Supply and Wastewater Management. Description: This document will provide staff in central and field offices with an overview of data quality management and will aid in establishing an accurate and defensible basis for staff decisions. Effective

Date: April 26, 2003. Contact: Pauline Risser-Clemens, (717) 772-4472, or prissercle@state.pa.us.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-766. Filed for public inspection April 25, 2003, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Carlisle Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Carlisle Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 107.61 (relating to written orders).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-767. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Community Hospital of Lancaster for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Community Hospital of Lancaster has requested an exception to the requirements of 28 Pa. Code § 107.61 (relating to written orders).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-768. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Evangelical Ambulatory Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Evangelical Ambulatory Surgical Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 9.5.F5f (relating to anesthesia/storage workroom).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-769. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of The Frankford Hospital of Philadelphia for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that The Frankford Hospital of Philadelphia has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-770. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Geisinger Wyoming Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Geisinger Wyoming Valley Hospital has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-771. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Hazleton Saint Joseph Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Hazleton Saint Joseph Medical Center has requested an exception to the requirements of 28 Pa. Code § 51.3(c) (relating to notification).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-772. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Highlands Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Highlands Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-773. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Lancaster Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Lancaster Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 107.61 (relating to written orders).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-774. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Mercy Hospital of Pittsburgh for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Mercy Hospital of Pittsburgh 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 *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.3.A3, 7.3.A6 and 7.3.A8 (relating to patient space; patient room windows; and handwashing stations).

This request is on file with the Department. Persons may receive a copy of a request for exception by request-

ing 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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-775. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Montgomery Hospital for Exception

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

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 17102, (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 facimile to the Division and address previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-776. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Pinnacle Health@Harrisburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Pinnacle Health@Harrisburg

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 *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.2.B10 and 7.9.D7 (relating to examination rooms; and emergency department examination room).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-777. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of The Pottsville Hospital and Warne Clinic for Exception

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

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-778. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of St. Clair Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that St. Clair 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 *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 7.3.A8 (relating to critical care handwashing stations).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-779. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of The Washington Hospital Neighbor Health Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that The Washington Hospital Neighbor Health Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 9.5.F2.d, 9.5.F3.c, 9.5.F4, 9.5.F5.j, 9.5.H1.c and 9.31.E5 Table 2.

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-780. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application of Wyoming Valley Health Care System Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Wyoming Valley Health Care System Hospital has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

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 previously listed.

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, (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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-781. Filed for public inspection April 25, 2003, 9:00 a.m.]

Availability for Comment of Amendment to Pennsylvania Blue Shield Regulations for Preferred Providers

Pennsylvania Blue Shield has submitted an amendment to the Highmark Blue Cross Blue Shield Regulations for Preferred Providers to the Department of Health for its review and approval in accordance with requirements of 40 Pa.C.S. § 6324(a) (relating to rights of health service doctors). The amendment is as follows:

In the event of the voluntary or involuntary termination of the Preferred Provider Agreement, the preferred provider agrees upon request to cooperate with [Blue Shield] [Blue Cross Blue Shield] in its obtaining information regarding those members enrolled in a Managed Care Plan that may be affected by such termination because they are undergoing an ongoing course of treatment or are otherwise active patients of the preferred provider. Such information includes the name, address and identification number of affected Managed Care Plan members.

This language is inserted as a new subsection under Section C—Managed Care Provisions of the Regulations for Preferred Providers.

Comments regarding this amendment may be submitted in writing within 15 days of the date of publication of this notice to Bill Wiegmann, Director, Division of Certification, Bureau of Managed Care, Department of Health, Room 912 Health and Welfare Building, Harrisburg, PA 17108, (717) 787-5193.

Copies of the amended document are available for inspection during normal working hours in Room 912 of the Health and Welfare Building. Persons wishing to review the document should contact Bill Wiegmann to make arrangements.

Persons with a disability who require an alternative format of this document, or wish to comment in an alternative format (for example, large print, audiotope or Braille), should contact Bill Wiegmann at the previous number or address or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-782. Filed for public inspection April 25, 2003, 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 January 1, 2003, through March 30, 2003. 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 decisions 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, Sandra Knoble, Director, P. O. Box 90, Harrisburg, PA 17108. Inquiries regarding long-term care facilities shall be addressed to the Division of Nursing Care Facilities, Susan Getgen, Director, P. O. Box 90, Harrisburg, PA 17108. 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].

Exception Requests—Hospitals

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
Lancaster Regional Medical Ctr.	28 Pa. Code § 51.3(c)	notification	3/8/03	granted
St. Francis Health System	28 Pa. Code § 51.3(f)(g)(4)	notification of elopements	7/21/01	not required
Ephrata Community Hospital	28 Pa. Code § 51.6	identification of personnel	7/21/01	granted
Titusville Area Hospital	28 Pa. Code § 51.23	PET scanning services	2/22/03	granted
Jameson Memorial Hospital	28 Pa. Code § 51.23	PET scanning services	1/18/03	granted
Robert Packer Hospital	28 Pa. Code § 51.23	PET scanning services	3/29/03	granted
Elkins Park Hospital	28 Pa. Code § 107.2	membership	2/8/03	granted
Angela Jane Pavilion	28 Pa. Code § 107.2	medical staff membership	2/15/03	granted
Lock Haven Hospital	28 Pa. Code § 107.26(b)(2)	tissue committee meetings	2/15/03	granted
Elkins Park Hospital	28 Pa. Code § 107.32	medical staff meetings	2/22/03	granted
Abington Memorial Hospital	28 Pa. Code § 107.32	medical staff meetings	2/22/03	granted
Warminster Hospital	28 Pa. Code § 107.32	medical staff meetings	2/22/03	granted
Healthsouth Rehab Hospital of Mechanicsburg	28 Pa. Code § 107.61	written orders	2/22/03	granted
Lancaster Regional Medical Ctr.	28 Pa. Code § 107.61	written orders	1/18/03	granted in part
Meadville Medical Center	28 Pa. Code § 107.61	written orders	2/22/03	granted in part
Healthsouth Rehab. Hospital for Special Services	28 Pa. Code § 107.62	oral orders	2/15/03	granted
Healthsouth Rehab. Hospital of Mechanicsburg	28 Pa. Code § 107.62	oral orders	2/22/03	denied
Meadville Medical Center	28 Pa. Code § 107.62	oral orders	2/22/03	granted in part
Select Specialty Hosp.—Camp Hill	28 Pa. Code § 107.62	oral orders	3/29/03	granted in part
Uniontown Hospital	28 Pa. Code § 107.62	oral orders	3/29/03	granted
St. Francis Health System	28 Pa. Code § 115.23(c)	preservation of medical records	11/02/02	granted
Allegheny General Hospital	28 Pa. Code § 117.30	emergency paramedic function	12/14/02	denied
Conemaugh Health System	28 Pa. Code § 153.1	minimum construction standards	1/18/03	granted
Coordinated Health Systems	28 Pa. Code § 153.1	Table 7.5 station outlets for medical gases minimum standards— Table 7.5—medical gases	2/15/03	granted
Coordinated Health Systems—Orthopedic Specialty Center	28 Pa. Code § 153.1	minimum standards— 7.7.A3—plaster traps in sinks; 7.7.C9	2/15/03	withdrawn
Coordinated Health Systems—Orthopedic Specialty Center	28 Pa. Code § 153.1	minimum standards— 7.7.A1—minimum size for general OR	2/15/03	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
Divine Providence Hospital	28 Pa. Code § 153.1	minimum standards— 7.10.C4—patient toilet in CT scan room	2/15/03	granted
Forbes Regional Hospital	28 Pa. Code § 153.1	minimum standards— 10.15.A2—minimum inpatient room areas	3/29/03	granted
Jameson Memorial Hospital	28 Pa. Code § 153.1	minimum construction standards 10.15.A2	1/18/03	granted in part
Lehigh Valley Hospital	28 Pa. Code § 153.1	minimum standards— 7.2.A4—handwashing stations	3/29/03	granted
Lehigh Valley Hospital— Muhlenberg	28 Pa. Code § 153.1	minimum standards— 7.2.A4—handwashing stations	3/29/03	granted
Main Line Health Center	28 Pa. Code § 153.1	minimum standards— 7.10.F2	3/8/03	denied
St. Luke's Quakertown Hospital	28 Pa. Code § 153.1	minimum standards— 7.32.G2—nurse call system	3/29/03	denied

Exception Requests—Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
Dermatologic SurgiCenter	28 Pa. Code § 571.1	minimum construction standards	1/18/03	granted
Leo McCafferty, MD, Plastic Surgery	28 Pa. Code § 571.1	minimum standards— 9.5.F2.c—Class B OR minimum clear area; 9.5.H1—public corridor width	3/29/03	granted

Exception Requests—Nursing Care Facilities

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
Mercy Fitzgerald Hospital	28 Pa. Code § 201.17	location of facility	3/29/03	denied
Angela Jane Pavilion	28 Pa. Code § 201.18(e)	management	1/4/03	denied
Evangelical Subacute Care Unit	28 Pa. Code § 201.18(e)	management	2/8/03	temp. grant
Jameson Hospital Transitional Care Unit—South	28 Pa. Code § 201.18(e)	management	3/22/03	denied
Jameson Memorial Hospital Transitional Care Unit	28 Pa. Code § 201.18(e)	management	12/7/02	denied
Somerset Hospital Center for Health	28 Pa. Code § 201.18(e)	management	12/28/02	temp. grant
Delaware Valley Veterans' Home	28 Pa. Code § 205.6	function of building	12/21/02	granted
The Highlands Care Center	28 Pa. Code § 205.6	function of building	12/28/02	denied
The Village at Morrisons Cove	28 Pa. Code § 205.6	function of building	12/7/03	granted
Angela Jane Pavilion	28 Pa. Code § 205.6(a)	function of building	1/4/03	granted
Beverly Healthcare Clarion	28 Pa. Code § 205.6(a)	function of building	2/8/03	granted
Sycamore Manor Health Center	28 Pa. Code § 205.6(a)	function of building	2/8/03	granted
The Cedars of Monroeville	28 Pa. Code § 205.6(a)	function of building	3/8/03	granted
Valencia Woods Nursing Center	28 Pa. Code § 205.6(a)	function of building	2/8/03	granted
Covenant of South Hills	28 Pa. Code § 205.8	ceiling heights	3/29/03	not required
Inglis House	28 Pa. Code § 205.23	location of bedrooms	12/7/02	granted
Inglis House	28 Pa. Code § 205.28(a)	nurses' station	12/7/02	granted
UPMC Transitional Care Center Greenville	28 Pa. Code § 205.33	utility room	12/7/02	granted
Inglis House	28 Pa. Code § 205.36(d)	bathing facilities	12/7/02	granted
Mon Valley Care Center	28 Pa. Code § 205.36(h)	bathing facilities	1/4/03	granted
Pleasant Ridge Manor West	28 Pa. Code § 205.38(a)	toilet facilities	11/2/02	not required
Inglis House	28 Pa. Code § 205.38(e)	toilet facilities	12/7/02	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
The Lafayette-Redeemer	28 Pa. Code § 205.67(j)	electric requirements for existing and new construction	3/8/03	granted
Angela Jane Pavilion	28 Pa. Code § 211.12(b)	nursing services	1/4/03	denied

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-783. Filed for public inspection April 25, 2003, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold public meetings on Wednesday, May 21, 2003, and Thursday, May 22, 2003.

The meetings will be held at the Best Western Inn and Suites, 815 Eisenhower Boulevard, Middletown, PA 17057, from 9 a.m. to 3 p.m.

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

For additional information, or persons with a disability who desire to attend the meeting and require auxiliary aid, service or other accommodation to do so, contact Thomas M. DeMelfi, Department of Health, Bureau of Communicable Diseases, P. O. Box 90, Room 1010, Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0572 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-784. Filed for public inspection April 25, 2003, 9:00 a.m.]

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on June 11, 2003, from 10 a.m. to 2 p.m. in Room 812, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA.

For additional information, contact William J. Neil, Manager, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-5900.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William J. Neil, (717) 787-5900 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-785. Filed for public inspection April 25, 2003, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.17 (relating to location):

Evangelical Subacute Care Unit
One Hospital Drive
Lewisburg, PA 17837

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

Mary Evans Extended Care Center
724 Pershing Street
Ellwood City, PA 16117

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a)—(c) (relating to utility room):

The Wesley Village
209 Roberts Road
Pittston, PA 18640

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

Hamilton Arms Center
336 South West End Avenue
Lancaster, PA 17603-5098

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

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

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

Persons with a disability who require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the address or phone numbers previously listed or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-786. Filed for public inspection April 25, 2003, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Designated Exceptional Durable Medical Equipment

The Department of Public Welfare (Department) pays for nursing facility services under 55 Pa. Code Chapter 1187 (relating to nursing facility services). That chapter provides that a nursing facility enrolled in the Medical Assistance (MA) Program as a provider of nursing facility services may obtain "additional payment" for nursing facility services that are provided to a specific resident and that involve the use of durable medical equipment (DME) that meets the Department's definition of "exceptional DME." See 55 Pa. Code § 1187.151 (relating to definitions).

"Exceptional DME" is defined as "DME that has a minimum acquisition cost that is equal to or greater than an amount specified by the Department by notice in the *Pennsylvania Bulletin* and is either specially adapted DME or other DME that is designated as exceptional DME by the Department by notice in the *Pennsylvania Bulletin*." See 55 Pa. Code § 1187.2 (relating to definitions). The Department publishes these notices on an annual basis. See 32 Pa.B. 734, 740 (February 9, 2002).

The most recent list of exceptional DME was published by the Department at 32 Pa.B. 3267 (July 6, 2002). Among other things, that notice provides that ventilators

and related supplies qualify as exceptional DME only if "[u]sed by residents 21 years of age and older who require full ventilator support for a minimum of 8 hours per day to sustain life." By way of this notice, the Department is amending this provision to remove the limitation that the resident be 21 years of age or older. Thus, as amended, ventilators and related supplies are exceptional DME if "[u]sed by residents who require full ventilator support for a minimum of 8 hours per day to sustain life." No other change is made or intended by this notice.

Effective Date

This change will be effective upon publication in the *Pennsylvania Bulletin*.

Fiscal Impact

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for Fiscal Year 2003-2004 will be \$0.316 million (\$0.143 million in State funds). No fiscal impact is anticipated during Fiscal Year 2002-2003.

Contact Person

Interested persons are invited to submit written comments within 30 days of this publication to Gail Weidman, Long Term Care Policy Section, Department of Public Welfare, Division of Long Term Care Client Services, P. O. Box 2675, Harrisburg, PA 17105.

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

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-357; (1) General Fund; (2) Implementing Year 2002-03 is \$0; (3) 1st Succeeding Year 2003-04 is \$143,000; 2nd Succeeding Year 2004-05 is \$156,000; 3rd Succeeding Year 2005-06 is \$156,000; 4th Succeeding Year 2006-07 is \$156,000; 5th Succeeding Year 2007-08 is \$156,000; (4) 2001-02 Program—\$761,877,000; 2000-01 Program—\$722,565,000; 1999-00 Program—\$693,625,000; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funding for this change is included in the 2003-04 budget.

[Pa.B. Doc. No. 03-787. Filed for public inspection April 25, 2003, 9:00 a.m.]

2002 Group Two Exception Requests; Medical Assistance Long Term Care Participation Review

The Department of Public Welfare (Department), by statement of policy effective December 18, 1996, adopted an interim policy announcing that it intended to exercise its discretion to refuse to enter into new Medical Assistance (MA) provider agreements and to terminate any provider of MA nursing facility services that sought to increase the number of MA certified nursing facility beds through expansion, unless the Department granted an exception on a case-by-case basis to permit that provider to enroll or expand. A statement of policy that sets forth the guidelines the Department will use when making its case-by-case exception request decisions was published at 28 Pa.B. 138 (January 10, 1998) and is codified at 55 Pa. Code § 1187.21a. (relating to nursing facility exception requests—statement of policy).

By this notice, published under 55 Pa. Code § 1187.21a(e)(4), the Department announces the 2002 Group Two Exception Requests covering the submission period of July 1, 2002, through December 31, 2002.

Expansion Projects

Number	Name	Address	County	Beds
JD02001	Bradford Ecumenical Home, Inc.	100 Saint Francis Drive Bradford, PA 16701	McKean	16
JD02003	Locust Grove Retirement Village	HCR-67, Box 7 Mifflin, PA 17058	Juniata	25

<i>Number</i>	<i>Name</i>	<i>Address</i>	<i>County</i>	<i>Beds</i>
JD02004	Asbury Health Center	700 Bower Hill Road Pittsburgh, PA 15243	Allegheny	4
JD02005	Pinnacle Health SNU Seidle Memorial Hospital	120 South Filbert Street Mechanicsburg, PA 17055	Cumberland	21
JD02007	Greenleaf/Briarleaf Nursing and Conv. Inc.	400 South Main Street Doylestown, PA 18901	Bucks	178

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

Public Comment

The Department will accept written comments related to the requests for a 30-day period following the date of this publication. Written comments may be submitted to Department of Public Welfare, Bureau of LTC Programs, Attention: Policy Section, P. O. Box 2675, Harrisburg, PA 17105.

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

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-358. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 03-788. Filed for public inspection April 25, 2003, 9:00 a.m.]

DEPARTMENT OF STATE

State Plan Advisory Board Meeting

On Thursday, May 1, 2003, the State Plan Advisory Board (Board) will meet from 9:30 a.m. to 3 p.m. in Room 303, North Office Building, Harrisburg. The Board is responsible for developing a plan which details how the Commonwealth will use grants from the Federal government to meet the requirements of the Federal Help America Vote Act of 2002 and "to carry out other activities to improve the administration of elections." Persons wishing to attend should contact, by April 29, 2003, Barbara Smotherman, (717) 787-3796, bsmotherma@state.pa.us.

PEDRO A. CORTES,
Acting Secretary of the Commonwealth

[Pa.B. Doc. No. 03-789. Filed for public inspection April 25, 2003, 9:00 a.m.]

County, containing 21,519± square feet or 0.494± acre, for purposes of parking and landscaping.

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

Questions regarding this application or the proposed use should be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 03-790. Filed for public inspection April 25, 2003, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation (Department), under section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Cardello Associates, seeking to lease highway right-of-way located within the right-of-way of LR 1039-B04 (along southern side of Ridge Avenue beneath West End Bridge), City of Pittsburgh, Allegheny

Application for Lease of Right-of-Way

The Department of Transportation (Department), under section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Kings Country Shoppes, Inc., seeking to lease highway right-of-way located at the intersection of LR 115-11A and LR 76-22A (SR 0051), Center Township, Beaver County, containing 3,000± square feet or 0.068± acre, for purposes of parking and landscaping.

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

Questions regarding this application or the proposed use should be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 03-791. Filed for public inspection April 25, 2003, 9:00 a.m.]

Finding Chester County

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

The Department of Transportation (Department) plans to construct improvements to PA Route 52 in Pennsbury and Kennett Townships, Chester County.

The purpose of the PA Route 52 Improvement Project is to provide improved traffic operations and safety in the roadway corridor area that is consistent with master planning and socioeconomic characteristics. The proposed action involves the relocation of PA Route 52 from its intersection with PA Route 926 to a new intersection with U. S. Route 1. The new roadway will be a two-lane, rural major collector, as is its current functional classification, with 12-foot wide lanes and 8-foot wide shoulders. The relocation of PA Route 52 will begin at a new jughandle intersection with U. S. Route 1, proceed north, shifting toward and then paralleling the Longwood Gardens eastern property line and end at a realigned intersection with PA Route 926. The improvements to the PA Route 926 intersection include realignment to reduce the intersection skew and widening for right and left turn lanes. The PA Route 52 south leg and U. S. Route 1 intersection in Hamorton Village will also be improved under this action. U. S. Route 1 northbound will be widened to accommodate a separate right turn lane for traffic traveling to PA Route 52 southbound. Northbound PA Route 52 will be widened to provide an additional left turn lane for traffic traveling to U. S. Route 1 southbound.

The proposed relocation of a portion of PA Route 52 and associated improvements to U. S. Route 1 will require the use of land from two Section 2002 resources, the Longwood Gardens Historic District and the Hamorton Historic District, which have been determined eligible for listing on the National Register of Historic Places. The effect of this project on the two historic resources will be mitigated by measures stipulated in an executed Memorandum of Agreement between the Pennsylvania State Historic Preservation Office and the Federal Highway Administration and concurred by the Department, Longwood Gardens, Inc. and the Chester County Heritage Preservation Coordinator.

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

No adverse environmental effect is likely to result from the construction of this project.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 03-792. Filed for public inspection April 25, 2003, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control

AIS Acquisition, LLC has filed an application to acquire control of United National Insurance Company, a Pennsylvania domiciled stock casualty insurance company. The filing was made under the requirements of the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1516). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-793. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application for Approval to Acquire Control

First American Title Insurance Company has filed an application to acquire control of Penn Attorneys Title Insurance Co., a Pennsylvania domiciled title insurance company. The filing was made under the requirements of the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1516). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-794. Filed for public inspection April 25, 2003, 9:00 a.m.]

Application for Approval of a Proposed Merger

Old Guard Insurance Company, a stock fire insurance company organized under the laws of the Commonwealth, has filed an application for approval to merge with Neffsville Insurance Company, which will be a domestic stock fire insurance company should Neffsville Mutual Fire Insurance Company successfully convert from a mutual to a stock insurance company. Old Guard Insurance Company would be the survivor of the merger. The filing was made under the requirements of the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1516), 15 Pa.C.S. §§ 1921—1932 (relating to merger, consolidation, share exchanges and sale of assets) and the GAA Amendments Act of 1990 (15 P. S. §§ 21205—21207). Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-795. Filed for public inspection April 25, 2003, 9:00 a.m.]

Applications for Insurance Agent and Broker Licenses; No. 2003-03

Article VI of The Insurance Department Act of 1921 (40 P. S. §§ 231—297.4), which provides statutory authority for the Insurance Department (Department) to issue insurance agent certificates of qualification and insurance broker licenses, was repealed by the act of December 3, 2002 (P. L. 1183, No. 147) (Act 147), effective June 4, 2003. Accordingly, after June 3, 2003, the Department will be unable to issue new agent or broker licenses and will be converting its computer systems to permit the issuance of the new Insurance Producer license created by Act 147.

Prior to issuing a license, the Department's Bureau of Producer Services requires sufficient time to review all applications for an agent or broker license to conduct any background investigation necessary to verify the information provided therein and assess the applicant's worthiness for licensure. Currently, in light of the volume of applications the Department receives, the processing time for a "clean" application for which there is no adverse information regarding the applicant is approximately 10 business days. Applications containing adverse information or that are incomplete in any way may require a significantly larger time period to finalize, review and investigate before a decision on licensure can be made. Applications for an agent certificate of qualification or a broker license must be received by the Department before May 16, 2003, to ensure sufficient time to review the application and render a decision on licensure prior to the repeal of the existing law on June 4, 2003. Persons submitting applications for an agent or broker license

after May 16, 2003, assume the risk that the Department may not have sufficient time to perform the necessary review to render a decision on licensure by June 3, 2003. Further, applications containing adverse information (for example, criminal convictions, prior licensure action, and the like) should be submitted immediately and, depending on the nature of the application, have no assurance of sufficient time for review prior to June 3, 2003. Applications that were not submitted with sufficient time for review and for which a decision on licensure has not been made by June 3, 2003, may be returned to the applicants who will then be required to requalify and reapply for an Insurance Producer license under the new law.

Questions regarding this notice or Act 147 should be sent to the Bureau of Producer Services, Insurance Department, 1300 Strawberry Square, Harrisburg, PA 17120, ra-in-plma@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-796. Filed for public inspection April 25, 2003, 9:00 a.m.]

Larry Braunstein; Hearing

Appeal of Larry Braunstein under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-04-014

On or before May 20, 2003, the appellant shall file a concise statement setting forth the factual and legal basis for his disagreement with MCARE's March 10, 2003, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages.

The proceeding in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for May 27, 2003, at 1:30 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 13, 2003. A hearing shall occur on June 11, 2003, at 1:30 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

On or before June 4, 2003, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for the party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 3, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 10, 2003.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-797. Filed for public inspection April 25, 2003, 9:00 a.m.]

Continental Casualty Company (CNA); Rate Filing

Continental Casualty Company (CNA) is requesting approval to increase the premium for several long term care policy forms. The company is requesting a 40% increase for the Con Care A series, which includes P1-54076-B37 and P1-54076-A37. The company is requesting a 30% increase for the Con Care B series, which includes P1-59433-A37. The company is requesting a 40% increase for the LTC 1 series, which includes P1-15203-A37. The company is requesting a 50% increase for the Preferred Advantage series, which includes P1-21295-A37, P1-21295-A87, P1-21300-A37, P1-21300-A87, P1-21305-A37 and P1-21305-A87. The company is requesting a 50% increase for the Premier/Classic series, which includes P1-18215-A37, P1-18215-A87, P1-18876-A37 and P1-18876-A87. The proposed increase will affect 10,776 policyholders in this Commonwealth.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-798. Filed for public inspection April 25, 2003, 9:00 a.m.]

Hamot Medical Center; Hearing

Appeal of Hamot Medical Center under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-04-016

On or before May 20, 2003, the appellant shall file a concise statement setting forth the factual and legal basis for his disagreement with MCARE's January 31, 2003, determination. The statement may be in narrative form

or in numbered paragraphs, but in either event shall not exceed two pages.

The proceeding in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for May 27, 2003, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 13, 2003. A hearing shall occur on June 10, 2003, at 1:30 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

On or before June 3, 2003, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for the party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 2, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 9, 2003.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-799. Filed for public inspection April 25, 2003, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the company's termination of the insured's policies. The administrative hearing will be held in the Insurance Department's regional offices in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Frances Bruner; file no. 03-215-01035; Keystone Insurance Company; doc. no. PH03-04-026; May 15, 2003, 3:30 p.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-800. Filed for public inspection April 25, 2003, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Cumberland County, Wine & Spirits Shoppe #2108, Summerdale Plaza Shopping Ctr., 443 N. Enola Road, Enola, PA 17025-2128.

Lease Expiration Date: March 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,800 net useable square feet of new or existing retail commercial space located along U. S. Routes 11 and 15, between Valley Road to the north and Shady Lane to the south.

Proposals due: May 16, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Charles D. Mooney, (717) 657-4228

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 03-801. Filed for public inspection April 25, 2003, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cancellation Order

Public Meeting held
April 10, 2003

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice—Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick; Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. AS Telecommunications, Inc.
(2002.0398.00); Doc. No C-20039308; A-310537*

Cancellation Order

By the Commission:

On January 17, 2002, Law Bureau Prosecutory Staff filed a Formal Complaint against AS Telecommunications, Inc. (Respondent), an IXC reseller certificated at A-310537. In the Complaint, Prosecutory Staff alleged that Commission staff had notified Respondent by both first class and certified mail, return receipt requested that Respondent had failed to file its 2001 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate for failure to file its 2001 Annual Report in violation of 66 Pa.C.S. § 504.

Service of the Complaint was perfected on January 27, 2003. Respondent filed an answer on January 31, 2003, stating that it filed for Chapter 11 protection under the United States Bankruptcy Code on March 13, 2001, and is currently liquidating its assets for the benefit of its creditors. Respondent's answer also stated that it is a shell corporation with no employees and is waiting to be dissolved upon final dissolution of its parent. Finally, Respondent requests that its certificate be revoked since it is not doing business.

Based upon the foregoing, and upon our determination that Respondent does not have any outstanding assessments or fines, it is appropriate to cancel the certificate of public convenience of AS Telecommunications, Inc.; *Therefore,*

It Is Ordered That:

1. The allegations in Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is hereby sustained.
2. The certificate of public convenience held by AS Telecommunications, Inc. at A-310537 is hereby cancelled.
3. The Secretary strike the name of AS Telecommunications, Inc. from all active-utility lists maintained by the Annual Report Section of the Secretary's Bureau and the Assessment Section of the Bureau of Administrative Services.
4. Notice of this Cancellation Order shall be published in the *Pennsylvania Bulletin*.

JAMES, J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-802. Filed for public inspection April 25, 2003, 9:00 a.m.]

Cancellation Order

Public Meeting held
April 10, 2003

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick; Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Star Telecommunications, Inc.
(2002.0398.00); Doc. No. C-20039265; A310571*

Cancellation Order

By the Commission:

On January 17, 2002, Law Bureau Prosecutory Staff filed a Formal Complaint against Star Telecommunications, Inc. (Respondent), an IXC reseller certificated at A-310571. In the Complaint, Prosecutory Staff alleged that Commission staff had notified Respondent by both first class and certified mail, return receipt requested that Respondent had failed to file its 2001 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate for failure to file its 2001 Annual Report in violation of 66 Pa.C.S. § 504.

Service of the Complaint was perfected on January 28, 2003. Respondent filed an answer on February 4, 2003, stating that it filed for Chapter 11 protection under the United States Bankruptcy Code on March 13, 2001, and is currently liquidating its assets for the benefit of its creditors. Respondent's answer also stated that it has not conducted business in the Commonwealth of Pennsylvania since January 1, 2001. Finally, Respondent requests that its certificate be revoked since it is no longer doing business.

Based upon the foregoing, and upon our determination that Respondent does not have any outstanding assessments or fines, it is appropriate to cancel the certificate of public convenience of Star Telecommunications, Inc.; *Therefore,*

It Is Ordered That:

1. The allegations in Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is hereby sustained.
2. The certificate of public convenience held by Star Telecommunications, Inc. at A-310571 is hereby cancelled.
3. The Secretary strike the name of Star Telecommunications, Inc. from all active-utility lists maintained by the Annual Report Section of the Secretary's Bureau and the Assessment Section of the Bureau of Administrative Services.
4. Notice of this Cancellation Order shall be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-803. Filed for public inspection April 25, 2003, 9:00 a.m.]

Default Order

Public Meeting held
April 10, 2003

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick; Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. National Accounts Inc. (2002.0421);
Doc. No. C-20039461; A-310162*

Default Order

By the Commission:

On February 11, 2003, the Law Bureau Prosecutory Staff instituted a complaint against National Accounts Inc. (Respondent), a telecommunications interexchange reseller certificated at A-310162. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that both its 2002-2003 annual assessment and its 5th semi-annual Telephone Consumer Education Fund assessment were overdue. The complaint charged that Respondent's failure to pay the general assessment violates 66 Pa.C.S. § 510(c) and that its failure to pay the 5th semi-annual Telephone Consumer Education Fund assessment violates the Commission's Global Order entered on September 30, 1999, at Docket Nos. L-00991648, et al.

The complaint sought an order from the Commission canceling Respondent's certificate of public convenience for failure to pay these assessments. The complaint was mailed by the Secretary's Bureau on February 12, 2003, to Respondent's last known business address and service was perfected on February 14, 2003. To date, more than 20 days since service was perfected, no answer has been filed to the complaint and the two assessments have still not been paid. Additionally, the telephone number the Commission has for the company always answers with a recording stating that the telephone line is experiencing network outages.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Based on the previous and because of National's failure to pay its general assessment for 2002-2003 and 5th semi-annual Telephone Consumer Education Fund assessment, we believe it is appropriate to revoke National's certificate of public convenience as being in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if National seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate held by National Accounts Inc. at Docket No. A-310162 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-804. Filed for public inspection April 25, 2003, 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, on or before May 19, 2003. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-00119684. Brenda Kaye Klinedinst t/d/b/a York Yellow Cab (412 Norway, York, York County, PA 17403)—persons upon call or demand in the Counties of Adams and York. Application for Temporary Authority has been filed at A-00119684, seeking the right previously cited.

Application of the following for approval of the *additional right* and *privilege* of operating motor vehicles as *common carriers* for transportation of *persons* as described under the application.

A-00117886, Folder 2. Premiere 1 Limousine Service, Inc. (120 Doreen Drive, Hummelstown, Dauphin County, PA 17036), a corporation of the Commonwealth—persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Dauphin, Cumberland, York and Lancaster, and from points in said counties to points in Pennsylvania, and return. Application for temporary authority has been filed at A-00117886, F. 2, seeking the following right: persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Dauphin, Cumberland

and Lancaster, and from points in said counties to points in Pennsylvania, and return.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-805. Filed for public inspection April 25, 2003, 9:00 a.m.]

Telecommunications

A-311235F7001. Verizon North Inc. and AltiComm Inc. Joint petition of Verizon North Inc. and AltiComm Inc. for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and AltiComm Inc., by its counsel, filed on April 2, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and AltiComm 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. 03-806. Filed for public inspection April 25, 2003, 9:00 a.m.]

Telecommunications

A-310804F7001. Verizon North, Inc. and dPi Teleconnect, LLC. Joint petition of Verizon North, Inc. and dPi Teleconnect, LLC for approval of an amended, extended and restated interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, Inc. and dPi Teleconnect, LLC, by its counsel, filed on April 10, 2003, at the the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amended, extended and restated interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and dPi Teleconnect, LLC 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. 03-807. Filed for public inspection April 25, 2003, 9:00 a.m.]

Telecommunications

A-310828F7001. Verizon North Inc. and FiberNet Telecommunications of Pennsylvania, LLC. Joint petition of Verizon North Inc. and FiberNet Telecommunications of Pennsylvania, LLC for approval of amendment no. 1 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and FiberNet Telecommunications of Pennsylvania, LLC, by its counsel, filed on April 11, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 1 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and FiberNet Telecommunications of Pennsylvania, LLC 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. 03-808. Filed for public inspection April 25, 2003, 9:00 a.m.]

Telecommunications

A-311235F7000. Verizon Pennsylvania Inc. and AltiComm Inc. Joint petition of Verizon Pennsylvania Inc. and AltiComm Inc. for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and AltiComm Inc., by its counsel, filed on April 2, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and AltiComm 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. 03-809. Filed for public inspection April 25, 2003, 9:00 a.m.]

Telecommunications

A-310804F7000. Verizon Pennsylvania Inc. and dPi Teleconnect, LLC. Joint petition of Verizon Pennsylvania Inc. and dPi Teleconnect, LLC for approval of an amended, extended and restated interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and dPi Teleconnect, LLC, by its counsel, filed on April 10, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amended, extended and restated interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and dPi Teleconnect, LLC 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. 03-810. Filed for public inspection April 25, 2003, 9:00 a.m.]

Telecommunications

A-310828F7000. Verizon Pennsylvania Inc. and FiberNet Telecommunications of Pennsylvania, LLC. Joint petition of Verizon Pennsylvania Inc. and FiberNet Telecommunications of Pennsylvania, LLC for approval of amendment nos. 1 and 2 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and FiberNet Telecommunications of Pennsylvania, LLC, by its counsel, filed on April 11, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment nos. 1 and 2 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and FiberNet Telecommunications of Pennsylvania, LLC 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. 03-811. Filed for public inspection April 25, 2003, 9:00 a.m.]

Tentative Order

Public Meeting held
April 10, 2003

Commissioners Present: Glen R. Thomas, Chairperson;
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;
Terrance J. Fitzpatrick; Kim Pizzingrilli

Comtel Network LLC (2002.0421); A-310982

Tentative Order

By the Commission:

Comtel Network LLC (Comtel) has failed to pay its \$334 general assessment for 2002-2003 under section 510(c) of the Public Utility Code. 66 Pa.C.S. § 510(c). Comtel is a telecommunications interexchange reseller certificated at A-310982. Commission staff sent by certified mail a notice to Comtel that its 2002-2003 annual assessment was overdue. The notice came back as unclaimed, return to sender. All other attempts by Commission staff to reach the company have proven unsuccessful.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Based on the previous and because of Comtel's failure to pay its general assessment for 2002-2003, we believe it is appropriate to revoke Comtel's certificate of public convenience without the necessity of a formal complaint, and we tentatively conclude that revocation of Comtel's certificate of public convenience pursuant to 66 Pa.C.S. § 1102(a)(2) is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Comtel seeks relief from this Tentative Order; *Therefore,*

It Is Ordered That:

1. Revocation of Comtel Network LLC's certificate of public convenience is hereby tentatively approved as being in the public interest.
2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.
3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.
4. Upon this order becoming final and without further action by the Commission, the certificate of public convenience held by Comtel Network LLC at A-310982 shall be canceled, and Comtel Network LLC's name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-812. Filed for public inspection April 25, 2003, 9:00 a.m.]

Tentative Order

Public Meeting held
April 10, 2003

Commissioners Present: Glen R. Thomas, Chairperson,
statement follows; Robert K. Bloom, Vice Chairperson;
Aaron Wilson, Jr.; Terrance J. Fitzpatrick; Kim Piz-
zingrilli

*Electric Distribution Companies' Pennsylvania
Sustainable Energy Funds; Doc. Nos. R-00973953,
R-00973954, R-00973981, R-00974008, R-00974009*

Tentative Order

By the Commission:

Background

By order entered on July 1, 1999, this Commission announced the creation of an autonomous Statewide board to provide oversight, guidance and technical assistance to the regional sustainable energy boards, which were established to assist in the management of the sustainable energy funds provided for in the electric restructuring proceedings.¹ As noted by the Commission, the institution of these funds marked a significant step in establishing Pennsylvania as a National leader in the development of renewable and clean energy technologies.

At the core of what the Commission labeled its "cooperative approach," we envisioned a bi-lateral coordinated effort between the regions and the State. The Commission envisioned that the local regional boards would identify projects and initiatives as well as potential sources of additional support and expertise. Meanwhile, the Commission expected that the Statewide board would work in conjunction with the regional boards to ensure that the various sustainable energy funds are used in concert to promote a consistent plan that leverages the investment in new technologies.

Discussion

Through this Tentative Order, the Commission seeks to further define what is to be known as the Pennsylvania Sustainable Energy Board (PASEB). We seek comments from interested parties on our attempts to further define the role of the PASEB in ensuring that Pennsylvania continues as a leader in the development of renewable and clean energy technologies.

From the outset, we note that the regional funds appear to have formed a close working relationship with each other. The regional funds report that their staffs communicate regularly about specific projects and general issues. The managers of the funds also meet on a quarterly basis, where the Commission staff has participated in most of the meetings. Moreover, the regional funds have held an annual fund meeting with over 20 guests from the Commission, the Department of Environmental Protection (DEP) and other interests. Thus, the regional funds report that the close working relationship between them has produced the desired level of coordination and communication envisioned by a Statewide board. We believe that the continued existence of the PASEB and a further refinement of its role will only enhance this close working relationship between the regional funds.

We note that the PASEB currently consists of nine representatives. The PASEB consists of one representa-

¹The four regional funds are the PECO Energy Sustainable Development Fund, the Sustainable Energy Fund of Central Eastern PA, the GPU Sustainable Energy Fund (now the Met-Ed/Penelec Sustainable Energy Fund), and the West Penn Power Sustainable Energy Fund.

tive from each of the following Commonwealth agencies: the Commission, DEP, the Department of Community and Economic Development (DCED) and the Office of Consumer Advocate (OCA). The PASEB also consists of a representative from the Pennsylvania Environmental Council (PEC) and a representative from each regional board. By this Tentative Order, the Commission's representative will be from the Office of Executive Director (OED), assisted by Commission staff from the Law Bureau and the Bureau of CEEP.

We contemplate that the PASEB will continue to play a key role in the Commission's oversight process of the regional boards. To that end, one of the primary responsibilities of the PASEB will be to conduct an annual meeting in May of each year to update the relevant Commonwealth agencies and other interested groups² on the status of the four regional boards. The annual forum will provide updates on the market status of sustainable energy technologies and projects, updates on the progress of the regional funds in achieving their missions and will provide an avenue for the regional boards to seek advice and support.

The PASEB will also serve as an information conduit between the four regional boards and the Commission. The regional fund administrators will work in conjunction with the OED to produce an annual report on behalf of the PASEB to the Commission. The annual report will be due by April 30th of each year with copies available for the other relevant Commonwealth agencies and the public. The report will summarize the activities of the regional funds for the prior year, including projects approved to receive funding, projects that were denied funding and the reasons for the denial. To the extent that the report contains any proprietary information, the PASEB will file both a proprietary and nonproprietary version. However, the nonproprietary version should still contain sufficient aggregate data and generic descriptions of the projects that were approved and rejected in the preceding year so that the public has access to information about the activities and funding decisions of the regional boards.

The PASEB will also promote greater uniformity of the business processes with each of the regional funds. Upon review of the responses to staff's data request issued on October 3, 2002, the Commission notes that there appears to be a discrepancy between each of the funds' business processes. In view of these discrepancies, the PASEB will create a "best business practices" model to cover these processes as the application process the reconsideration/appeal of denial process, and a code of conduct, among other things. While not a mandate per se, we envision that this "best business practices" model will serve as a uniform guide for each of the four funds. The PASEB is to develop this "best business practices" model within 1 year of the final order in this matter.

We also note that Commission staff will continue to monitor the quarterly meetings conducted by each of the regional funds and report back to the Commission as warranted. We contemplate that this monitoring process will help keep the Commission apprised of the various projects and proposals brought before the four regional boards. In addition, the regional boards will continue to submit semi-annual and annual reports with the Secretary's Bureau, consistent with their by-laws previously approved by the Commission.

²The relevant agencies include the Commission, DEP, DCED and OCA. Other interested groups would include PEC and other energy and environmental interests.

Finally, the Commission notes that it expressly reserves the right to revisit organization and operations of the PASEB, where appropriate, particularly if a more formal centralized structure for handling common tasks becomes necessary at some point in the future; *Therefore,*

It Is Ordered That:

1. The PASEB provide oversight, guidance and technical assistance to the regional sustainable energy boards in Pennsylvania, consistent with this Tentative Order.
2. The PASEB conduct an annual meeting to update the appropriate Commonwealth agencies and other interests on the market status of sustainable energy technologies and projects, the progress of the regional funds in achieving their missions and to seek advice and support, consistent with this Tentative Order.
3. The PASEB submit semi-annual and annual reports to the Commission, other appropriate Commonwealth agencies and other interests, consistent with this Tentative Order.
4. The PASEB develop a "best practices" model to serve as a guide for the business practices of the funds, consistent with this Tentative Order.
5. Comments regarding this Tentative Order be filed with the Commission no later than 30 days after this Order is published in the *Pennsylvania Bulletin*. Reply comments are due 15 days thereafter.

JAMES J. MCNULTY,
Secretary

Statement of Chairperson Glen R. Thomas

Today's action further defines the role of the Pennsylvania Sustainable Energy Board ("PASEB") and represents another step forward in establishing Pennsylvania as a national leader in the development of renewable and clean energy technologies. The four Sustainable Energy Funds ("Funds") and their leadership have done many great things for Pennsylvania to date—such as establishing Pennsylvania as the east coast leader for wind energy. There is nevertheless room for improvement in two important areas: communication and sharing of best practices.

The Funds must make every effort to keep the Commission fully apprised of their activities. While information flow to the Commission has improved over the past several months through Commission staff efforts, the Funds themselves must do more to communicate with the Commission on a regular basis. Today's order requires the PASEB to hold an annual forum in May of each year and to provide the Commission with an annual report by April 30th of each year. The forum and annual report will enable the Commission to monitor and compare the activities and progress of each Fund more effectively. The forum and report will also facilitate greater communication between the Funds themselves, as well as communication between the Funds and state agencies.

The second significant part of today's order requires the PASEB to establish "best business practices," including but not limited to application processes, reconsideration/appeal processes, and a code of conduct. Responses to data requests submitted by Commission staff to the Funds reveal that there are varying degrees of sophistication between the Funds. Standardization of business practices will facilitate joint projects and allow the Funds to learn from each other. While adoption of the best practices is not mandatory under this order, the mere existence of best practices will provide a standard by

which the Funds can be meaningfully reviewed by the Commission. The Commission should not get into the business of micromanaging project decisions; however, the Commission must ensure that processes are in place by which every applicant will be treated fairly.

The best days for renewable and sustainable energy in Pennsylvania lie ahead. I look forward to working with the Funds, the PASEB, and other state agencies to bring additional projects to Pennsylvania. I note that today's order is tentative and I welcome comments from all interested parties.

[Pa.B. Doc. No. 03-813. Filed for public inspection April 25, 2003, 9:00 a.m.]

Water Service

A-212285F0112. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in portions of Conewago and Londonderry Townships, Dauphin County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before May 12, 2003. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033-0888.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-814. Filed for public inspection April 25, 2003, 9:00 a.m.]