

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 May 25, 2004.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
5-14-04	Community Bank System, Inc., DeWitt, NY, acquired 100% of the voting shares of First Heritage Bank, Wilkes-Barre, PA	DeWitt, NY	Effective
	<i>Note:</i> Subsequent to the acquisition, First Heritage Bank was merged with and into Community Bank, National Association, Canton, NY, and ceased to be regulated by the Department of Banking.		
5-24-04	First Commonwealth Financial Corporation, IN, acquired 100% of the voting shares of GA Financial, Inc., Pittsburgh, PA	Indiana	Effective

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-24-04	First Commonwealth Bank, IN, and Great American Federal, Pittsburgh, PA Surviving Institution— First Commonwealth Bank, IN	Indiana	Effective
	<i>Branches Acquired Via Merger:</i>		
	548 Rock Run Road Buena Vista Allegheny County	4750 Clairton Boulevard Pittsburgh Allegheny County	
	608 Miller Avenue Clairton Allegheny County	Baptist and Grove Roads Pittsburgh Allegheny County	
	2210 Ardmore Boulevard Forest Hills Allegheny County	250 Summit Park Drive Pittsburgh Allegheny County	
	500 East Waterfront Drive Homestead Allegheny County	1105 South Braddock Avenue Pittsburgh Allegheny County	
	225 5th Avenue McKeesport Allegheny County	6015 Mountain View Drive West Mifflin Allegheny County	
	4600 Main Street Munhall Allegheny County	1527 Lincoln Way White Oak Allegheny County	

NOTICES

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-21-04	Stonebridge Bank Exton Chester County	600 West Germantown Pike Plymouth Meeting Montgomery County	Approved
5-21-04	Stonebridge Bank Exton Chester County	408 Lakeside Drive Southampton Bucks County	Approved
5-21-04	Community Banks Millersburg Dauphin County	50 North Main Street Spring Grove York County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-21-04	First Commonwealth Bank Indiana Indiana County	<i>To:</i> 708 West High Street Ebensburg Cambria County <i>From:</i> 613 West High Street Ebensburg Cambria County	Approved
5-21-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 400 Northtown Square Gibsonia Allegheny County <i>From:</i> 5600 William Flynn Highway Gibsonia Allegheny County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-19-04	Firsttrust Savings Bank Conshohocken Montgomery County	Bala Cynwyd Shopping Center 41 East City Line Avenue Bala Cynwyd Montgomery County	Filed
5-21-04	S & T Bank Indiana Indiana County	109 Grant Avenue Vandergrift Westmoreland County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Articles of Amendment**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
5-19-04	Pennsylvania State Employees Credit Union Harrisburg Dauphin County	Amendment to Article 8 provides for the addition of the language "corporate or other legal entities in this charter," to the field of membership.	Approved and Effective

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-975. Filed for public inspection June 4, 2004, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA-0063886	Michael G. Hooper 102 West Main Street Bath, PA 18014	Lower Saucon Township Northampton	East Branch Saucon Creek (2C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0033391 (SEW)	Pine Manor Mobile Home Park 3857 E. Harrisburg Pike 4163 Lark Street Middletown, PA 17057-4622	Dauphin County Londonderry Township	Unt Lynch Run/7-G	Y
PA0087165 (SEW) Transfer	Bleyer Gift Packs LLC 80 Voice Road Carle Place NY 11514-1500	Huntingdon County Mt. Union Borough	Juniata River/12-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0031682	Youngsville Motel Boarding Home 174 Matthews Run Road Youngsville, PA 16371	Brokenstraw Township Warren County	Unnamed Tributary to Matthews Run Watershed 16-B	Y
PA0222747	Seagull Cove Treatment Facility Association 11986 East Lake Road P. O. Box 506 North East, PA 16428-0506	North East Township Erie County	Unnamed Tributary to Lake Erie Watershed 15	Y

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

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

PA0239488, Sewerage. **Eldred Township**, R. D. 2, Box 123A, Pittsfield, PA 16340.

This proposed facility is located in Eldred Township, **Warren County**.

Description of Proposed Activity: Renewal of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, Fluoride, Phenolics, Sulfate and Chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Water Company is located on the Allegheny River and is approximately 90 miles below point of discharge.

The receiving stream, the Caldwell Creek, is in watershed 16-E and classified for: HQ-C, WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
Flow	XX	XX			
CBOD ₅					
(5/1-10/31)	3.3	5.0	10	15	20
(11/1-4/30)	6.6	10	20	30	40
Total Suspended Sol- ids	3.3	5.0	10	15	20
NH ₃ -N					
(5/01-10/31)	1.0		3		6
(11/01-4/30)	3.0		9		18
Fecal Coliform					
(5/01-9/30)			200/100ml as a geometric average		
(10/01-4/30)			15,000/100ml as a geometric average		
Dissolved Oxygen			minimum of 6.0 mg/l at all times		
Phosphorus as "P"					
(4/01-10/31)			2		4
pH			6.0 to 9.0 standard units at all times		

The EPA Waiver is in effect.

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

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

WQM Permit No. 2104406, Sewerage, **Hampden Township Sewer Authority**, 230 South Sporting Hill Road, Mechanicsburg, PA 17055.

This proposed facility is located in Hampden Township, **Cumberland County**.

Description of Proposed Action/Activity: Replacement/Upgrade of pumps in Pump Station #8.

WQM Permit No. 3604401, Sewerage, City of Lancaster, 120 North Duke Street, Lancaster, PA 17608.

This proposed facility is located in Lancaster City, Lancaster County.

Description of Proposed Action/Activity: Realignment of West Grant Street sewer line for the Pennsylvania Academy of Music project.

WQM Permit No. 0604202, CAFO, **Joel Hetrick, Hetrickdale Farms**, 69 Hetrick Drive, Bernville, PA 19506.

This proposed facility is located in Jefferson Township, **Berks County**.

Description of Proposed Action/Activity: Seeking approval for the renovation and expansion of an existing earthen manure lagoon, including the installation of a HDPE liner with the approximate storage of 1.34 million gallons.

WQM Permit No. 0104201, CAFO, **Bert Waybright, Mason Dixon Farms, Inc.**, 1750 Mason Dixon Road, Gettysburg, PA 17325.

This proposed facility is located in Freedom Township and Cumberland Township, **Adams County**.

Description of Proposed Action/Activity: Construction of a Circular Concrete Manure Storage Tank.

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

WQM Permit No. 2604402, Sewerage, **Brownsville Municipal Authority**, P. O. Box 330, 7 Jackson Street, Brownsville PA 15417.

This proposed facility is located in Brownsville Borough, **Fayette County**.

Description of Proposed Action/Activity: Application for the Construction and Operation of a sewage treatment plant, Sewers and Pump Stations and Aerobic Digestion Tanks to serve the Brownsville WWTP.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 6504401, Sewerage, **Municipal Authority of Washington Township**, 283 Pine Run Church Road, Apollo PA 15613.

This proposed facility is located in Washington Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the Construction and Operation of the Washington Township, Lower Beaver Sewer Extension Phase II Project.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

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

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

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

Carbon County Conservation District: 5664 Interchange Rd., Leighton, PA 18235-5114, (610) 377-4894.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021304003	Girl Scouts—Great Valley Council, Inc. 2633 Moravian Ave. Allentown, PA 18103	Carbon	Kidder Twp.	Black Creek, HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904019	Darlene Williams 3638 Blacksmith Rd. New Tripoli, PA 18066	Lehigh	Weisenberg Twp.	Lyon Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024504012	PennDOT, Dist. 5-0 1713 Lehigh St. Allentown, PA 18103	Monroe	Paradise Twp. and Mr. Pocono Borough	Forest Hills Run HQ,CWF Swiftwater Creek HQ-CWF
PAI033604003	John King 601 Overlys Grove Road New Holland, PA 17557	Lancaster	Eden Township	UNT to West Branch Octoraro Creek HQ-CWF-MF UNT to Pequea Creek TSF
PAI030704002	Tony Fitz Gibbons Edgewood Acres Development 279 North Zinns Mill Road Suite D Lebanon, PA 17042	Blair	North Woodbury Township	Clover Creek EV-HQ
PAI003604002	Aaron K. Beiler 624 Buchland Road Narvon, PA 17555	Lancaster	Salisbury Township	Pequea Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS101718-1	Dennis Raybuck International Custom Products Inc. P. O. Box 527A DuBois, PA 15801	Clearfield	Sandy	Reisinger Run CWF

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

Allegheny County Conservation District: Lexington Technology Park, Building 1, Suite 102, 400 North Lexington Avenue, Pittsburgh, PA 15208 (412) 241-7645.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050204002	William D. Redinger 1904 Lincoln Way McKeesport, PA 15131	Allegheny	North Versailles Twp.	Unnamed Tributary to Jacks Run (HQ-TSF)

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

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

PUBLIC WATER SUPPLY (PWS) PERMIT

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (Department) of the exact

basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users 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.

Permit No. 5404502, Public Water Supply.

Applicant	Hegins Hubley Authority 915 West Maple Street Valley View, PA
Township or Borough	Hubley Township Schuylkill County
Responsible Official	Fred J. Bowman, Chairman
Type of Facility	Public Water System
Consulting Engineer	David J. Kavitski, P. E. BCM Engineers
Application Received Date	May 12, 2004
Description of Action	A new well source and transmission main.

Permit No. 5804501, Public Water Supply.

Applicant	White's Mobile Home Park
Township or Borough	Clifford Township, Susquehanna County
Responsible Official	Mr. John C. White, Owner White's Mobile Home Park R. R. 1, Box 109 Forest City, PA 18421
Type of Facility	PWS
Consulting Engineer	John F. Davis, P. E. R. K. R. Hess Associates, Inc. P. O. Box 268 East Stroudsburg, PA 18301
Application Received Date	May 12, 2004
Description of Action	The proposed project will provide disinfection for the existing public water supply system at the White's Mobile Home Park. Proposed work includes the installation of a chlorinator and associated piping modifications.

Permit No. 5204501, Public Water Supply.

Applicant	Pennsylvania-American Water Co.
Township or Borough	Lehman Township, Pike County
Responsible Official	William C. Kelvington, VP PA-AM Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Community Water System

Consulting Engineer	Michael D. Youshock, P. E. PA-AM Water Company 100 North Pennsylvania Avenue Wilkes-Barre, PA 18701 (570) 830-6538
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Application Received Date	May 17, 2004
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Description of Action	Application for construction of a booster pump station to upgrade water pressure in Section 37 of Saw Creek Estates, consisting of about 240 lots.
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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	Winola Water Company, Inc.
Township or Borough	Overfield Township, Wyoming County
Responsible Official	Brian Fallon, President Winola Water Company, Inc. Taylor, PA 18517
Type of Facility	PWS
Consulting Engineer	N/A
Application Received Date	May 6, 2004
Description of Action	Transfer of PWS Permit No. 2660004 from Aaronrod Water Company to the Winola Water Company, Inc.

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

Application No. 4389503-MA1, Minor Amendment.

Applicant	Leesburg Comm Water Assn
Township or Borough	Springfield Township/Mercer County
Responsible Official	Ms Sue Schepp, President Leesburg Comm Water Coop Assn 1359 Bremt Rd. Volant, PA 16156
Type of Facility	PWS
Consulting Engineer	Kevin L Szakelyhidi, P. E. Bankson Engineers, Inc. 627 Blue Run Rd. P. O. Box 200 Indianola, PA 15051
Application Received Date	05/13/2004
Description of Action	Construction of 169,000 gal glass fused-to-steel water storage tank; installation of meters & distribution upgrade.

Application No. 4393505-MA1, Minor Amendment.

Applicant	Buhl Community Water
Township or Borough	Springfield Township/Mercer County
Responsible Official	Gloria Lambert, Ofc Mgr
Type of Facility	PWS
Consulting Engineer	Daniel F. Schmitt, P. E. Gibson-Thomas Engineering Co., Inc. Box 853 Latrobe, PA 15650
Application Received Date	05/11/2004
Description of Action	Construction of 500,000 gal elevated water storage tank to provide additional storage capacity.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

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

WA 16-1004, Water Allocations. **Limestone Township General Municipal Authority**, 12209 E Reidsburg Road, Clarion, PA 16214-4239, Limestone Township, **Clarion County**. Subsidiary application request for the purchase of 80,000 gpd, on average 30-day billing period, from PA American Water Company Clarion, to provide water for distribution to its entire service area.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any

contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

Multipurpose Stadium, City of Lancaster, **Lancaster County**. Synergy Environmental, Inc., 607 Washington Street, Reading, PA 19601, on behalf of The Redevelopment Authority of Lancaster County, submitted a Notice of Intent to Remediate the site as a Special Industrial Area. Potential releases of regulated substances to soils and groundwater include volatile organic compounds, semivolatile organic compounds, PCBs, heavy metals and petroleum products. The intended future use of the site is as a multipurpose stadium, to be used primarily for minor league baseball.

Precision Offset Printing Company, Centre Township, **Berks County**. UAI Environmental, Inc., 607 Commerce Drive, Reading, PA, 19607, on behalf of Precision Offset Printing Company, P. O. Box 675, Leesport, PA 19533, submitted a Notice of Intent to Remediate site groundwater contaminated with leaded and unleaded gasoline. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Hamburg Area Item* on May 19, 2004.

6th Avenue Limited Partnership, Spring Garden Township, **York County**. Langan Engineering and Environmental Services, Inc., 30 South 17th Street, Philadelphia, PA 19103, on behalf of 6th Avenue Limited Partnership, 1420 6th Avenue, York, PA 17403, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents and volatile organic compounds. The applicant proposes to remediate the site to meet the Site-specific, Statewide Health and Background standard requirements.

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

Emsource St. Marys LLC, Old Dump Site, City of St. Marys, **Elk County**. Edward B. Burkett, Burkett Env. Svc. Inc., 1218 Brusselles St. P. O. Box 1017, St. Marys PA 15857 on behalf of Richard D. Schatz, 1057 S Michael Rd, St. Marys, PA 15857, has submitted a Notice of Intent to Remediate. The site is a former surface coal mine used by local industries for disposal of waste, mainly Carbon Scrap. The contaminants to be addressed are Trichlorethene, 1,2-dichloroethene and 1,2-dichloroethane and vinyl chloride, Cadmium, Nickel and Lead.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

General Permit Application No. WMGR081D006. TBS Industries Inc., 4211 Van Kirk St., Philadelphia, PA 19135-3925. For the recycling of various uncontaminated and source-separated electronic equipment and components electronics equipment by sorting, disassembling, and mechanical processing (by sizing, shaping, separating and volume reduction only). The application for determination of applicability was deemed administratively complete by Division of Municipal and Residual Waste on May 17, 2004.

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

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials

are available for review in the regional office identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. TDD users 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 (act) and regulations adopted under the act.

PLAN APPROVALS

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

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

40-399-038C: Fairchild Semiconductor Corp. (125 Crestwood Road, Mountaintop, PA 18707) for installation of air cleaning devices to control the atmospheric emissions from the Fab 8 production line at their facility in the Crestwood Industrial Park, Wright Township, **Luzerne County**.

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

32-00377A: General Trade Corp. (4158 Old William Penn Highway, Murraysville, PA) for installation of a coal blending and prep facility Central Processing Plant in West Wheatfield Township, **Indiana County**.

03-00238A: Curran-Shaffer Funeral Home, Inc. (100 Owens View Avenue, Apollo, PA 15613) for installation of crematory at Apollo facility in Kiskiminetas Township, **Armstrong County**.

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

16-094A: IA Construction Corp. (Route 66, Shippenville, PA 16254) for modification of existing plan approval for asphalt plant to allow No. 2 oil, liquid propane, or natural gas fuels for the rotary dryer burner at their Clarion Plant in Paint Township, **Clarion County**.

61-193D: National Fuel Gas Supply Corp. (TR 300, Stoneboro, PA 16153) for minor modification of existing plan approval (61-0193C) to allow revision of minimum thermal oxidizer temperature from 1,400°F to 1,300°F at their Henderson Station in Mineral Township, **Venango 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.

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

09-0009E: Webcraft, LLC (4371 County Line Road, Chalfont, PA 18914) for modification of operation Press No. 18 (heat-set web offset printing press) at their facility in New Britain Township, **Bucks County**. The facility is classified as a major facility for VOCs; however, the proposed modifications will not affect allowable VOC limits. The following are the proposed modifications:

1. Removal of the average and maximum limit on VOC content on ink usage.
2. Changing the fountain solution VOC content limit from 0.69 % by volume to 3.0 % by weight, as applied.
3. Removal of the fountain solution density limit.
4. Removal of the blanket wash VOC density limit.

The aforementioned modifications are consistent current regulation of heat-set web offset printing presses. Press No. 18 will continue to be subject to recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

35-305-003: Northampton Fuel Supply Co., Inc. (7500 Old Georgetown Road, Suite 13, Bethesda, MD 20814) for installation and operation of a portable crushing and screening anthracite coal refuse plant at their facility in Mayfield Borough and Carbondale Township, **Lackawanna County**. The operation involves processing the culm material, disposal of the reject material on-site for final reclamation and revegetation of all disturbed areas. This facility is a non-Title V facility, subject to the requirement of Part 60 Standards of Performance for New Stationary Sources Subpart Y (§ 60.250—§ 60.254) for Coal Preparation Plants. Fugitive dust will be controlled by the water spray system to the extent that the operation will have no fugitive dust. The company will monitor and visually inspect the process daily during operating hours to ensure all wet suppression equipment is working properly. Any defects will be corrected immediately and the equipment will be operated as per vendor's specifications to assure the compliance with Department regulations.

40-305-024: Northampton Fuel Supply Co., Inc. (7500 Old Georgetown Road, Suite 13, Bethesda, MD

20814) for installation and operation of a portable crushing and screening anthracite coal refuse plant at their facility in Hanover Township, **Luzerne County**. The operation involves processing the culm material, disposal of the reject material on-site for final reclamation and revegetation of all disturbed areas. This facility is a non-Title V facility, subject to the requirement of Part 60 Standards of Performance for New Stationary Sources Subpart Y (§ 60.250—§ 60.254) for Coal Preparation Plants. Fugitive dust will be controlled by the water spray system to the extent that the operation will have no fugitive dust. The company will monitor and visually inspect the process daily during operating hours to ensure all wet suppression equipment is working properly. Any defects will be corrected immediately and the equipment will be operated as per vendor's specifications to assure the compliance with Department regulations.

54-313-083: Air Products and Chemicals, Inc. (357 Marian Avenue, Tamaqua, PA 18252) for construction of a new Fluorine (F2) West II Plant at their Hometown facility in Rush Township, **Schuylkill County**. The HF emissions from the plant will be less than 0.7 TPY. Emissions will be controlled by the use of their existing scrubbers. The Department will place a condition for the facility to monitor the scrubber flow rate, temperature and concentrations of KOH. 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.

54-313-084: Air Products and Chemicals, Inc. (357 Marian Avenue, Tamaqua, PA 18252) for increase in production rates from their Nitrogen Tri-Fluoride (NF3) West I plant at their Hometown facility in Rush Twp, **Schuylkill County**. The increase in production rates will increase the NF3 emissions from 11.2 TPY to 16.6 TPY. Emissions will be controlled by the use of their existing scrubbers. The Department will place conditions for the facility to monitor the scrubber flow rate, temperature and concentrations of KOH. 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.

54-313-085: Air Products and Chemicals Inc. (357 Marian Avenue, Tamaqua, PA 18252) for construction of a new Nitrogen Tri-Fluoride (NF3) West II plant at their Hometown facility in Rush Township, **Schuylkill County**. The NF3 emissions from the plant will be 16.6 TPY. Emissions will be controlled by the use of scrubbers. The Department will place conditions for the facility to monitor the scrubber flow rate, temperature and concentrations of KOH. 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.

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

10-00027D: Penreco (138 Petrolia Street Karns City, PA 16041) for replacement of an existing coal fired boiler (No. 6) with a new boiler rated at 91 MMBTU/hr in Karns City, **Butler County**. In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) the Department of Environmental Protection (DEP) intends to issue a plan approval for modification of plan approval No. 10-00027C.

The new boiler will be capable of firing natural gas, distillate oil, residual oil and off specification oil, which is currently fired in the No. 1 boiler. The new boiler will be

equipped with Low NOx Burners (LNB) and Flue Gas Recirculation (FGR). This replacement is intended to be an environmental improvement that will reduce emissions and provide a dependable supply of steam for processing needs. The modifications include removal of 30 day rolling average requirements for NOx and language regarding exemption by the first substantive date of the recent Boiler and Process Heater MACT Rule, (40 CFR Part 63 Subpart DDDDD), signed February 29, 2004. Both boilers will be replaced prior to the substantive date and will be minor status with regards to HAPS for HCL. The replacement is not subject to NSR or PSD. The new boiler will comply with the NSPS requirements, (40 CFR 60 Subpart Dc The facility was issued a Title V permit No.TV-10-00027 on May 4, 2000, which was revised on July 18, 2003. 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.

Any persons wishing to provide the Department of Environmental Protection (Department) with additional information that they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit [Permit Nos. 10-027C].

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Matthew Williams, New Source Review, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335 or (814)-332-6940.

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

If a plan approval has not undergone the above 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 §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

10-309B: Multiserv Plant 16 (Route 8 South, Butler, PA 16001) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department intends to issue a plan approval to modify conditions in existing plan approval. All other conditions in referenced plan approvals will remain in effect. This plan approval will be incorporated into a State Only operating permit at a later date. This plan approval modification will add an additional screening module to a scalping

operation at the AK Steel site located on Route 8 in Butler, **Butler County**. The source shall comply with the following conditions:

- A log of performed maintenance on the scalping equipment as recommended by the manufacturer shall be kept.
- Daily visible emissions observations shall be performed with discrepancies noted on a facility log.
- Records shall be maintained for a period of 5 years and shall be made available to the Department upon request.

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

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

46-00202: Elan Drug Delivery, Inc. (3000 Horizon Drive, King of Prussia, PA 19406) in Upper Merion Township, **Montgomery County**. The permit is for a non-Title V (State Only-Natural Minor) facility. The facility's sources include two emergency generators, three boilers, and various process equipment. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

22-03052: Harman Stove Co. (352 Mountain House Road, Halifax, PA 17032) for a stove coating operation in Jackson Township, **Dauphin County**. This permit incorporates two Plan Approvals number 22-03052 and 22-03052A for paint spray booths respectively. The State-only Operating Permit shall contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

28-05031: Borough of Chambersburg—Orchard Park Generating Center (100 South Second Street, Chambersburg, PA 17201) for a Synthetic Minor Operating Permit at their Sheffler Drive site in the Borough of Chambersburg, **Franklin County**. The facility's major sources of emissions include four dual-fuel internal combustion engine-generators, natural gas and/or No. 2 oil fired, 5.6 megawatt each, which primarily emit NOx. The facility emissions of NOx shall be limited to less than 100 tons per year. The Synthetic Minor operating permit will contain restrictions, work practice standards, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

11-00511: Forest Hills School District (P. O. Box 158, Sidman, PA 15955) for operation of a boiler at the Forest Hills Middle School in Croyle Township, **Cambria County**.

65-00914: Preform Specialties, Inc. (R. D. 3 Box 250-I, Blairsville, PA 15717) for operation of a powder processing plant in Derry Township, **Westmoreland County**.

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

24-00025: Alpha Sintered Metals, Inc. (95 Mason Run Road, Ridgway, PA 15853) for a Natural Minor Permit to operate a powdered metal mixing process and associated manufacturing processes for their powder metal sintering facility in Ridgway Township, **Elk County**.

**COAL AND NONCOAL MINING
ACTIVITY APPLICATIONS**

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

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

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days

after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

Coal Applications Received

Effluent Limits

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

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

* The parameter is applicable at all times.

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

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

54830101R4 and NPDES Permit No. PA0595624. K & K Coal Company (133 Valley Furnace Avenue, Port Carbon, PA 17965). Renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County**, affecting 176.0 acre. Receiving stream(s): un-

named tributary to Schuylkill River. Application received: May 14, 2004.

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

56743704. NPDES Permit No. PA0214931. Robindale Energy Services, Inc. (1001 Broad Street, Suite 130, Johnstown, PA 15906). Transfer the permit the Penn Pocahontas Coal Refuse Site in Brothersvalley Township, **Somerset County**, from Penn Pocahontas Coal Company. No additional discharges. Application received: May 5, 2004.

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

26870107 and NPDES Permit No. PA0589802. David L. Patterson, Jr. (12 Short Cut Road, Smithfield, PA 15478). Application received for transfer of permit currently issued to Durant Excavating for continued operation and reclamation of a bituminous surface mining site located in Nicholson Township, **Fayette County**, affecting 82.0 acres. Receiving stream: unnamed tributaries to Jacobs Creek, classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is the Masontown Borough Municipal System. Transfer application received: April 30, 2004.

65990103 and NPDES Permit No. PA0202550. Millwood Development, Inc. (1293 Route 217, Derry, PA 15627). Application received for transfer of permit currently issued to Gary Gioia Coal Company for continued

operation and reclamation of a bituminous surface mining site located in Hempfield Township, **Westmoreland County**, affecting 21.5 acres. Receiving streams: unnamed tributaries to Wilson Run to Wilson Run to Sewickley Creek to Youghiogheny River, classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is greater than ten miles from the site. Transfer application received: May 20, 2004.

NONCOAL APPLICATIONS RECEIVED

Effluent Limits

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

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

* The parameter is applicable at all times.

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

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

11040301 and NPDES Permit No. PA0249556. Laurel Sand & Stone, Inc. (P. O. Box 556, 210 E. Main Street, Ligonier, PA 15658). Commencement, operation and restoration of a bituminous surface mine in Jackson Township, **Cambria County**, affecting 145 acres. Receiving streams: unnamed tributary to South Branch of Blacklick Creek, unnamed tributaries to Bracken Run, unnamed tributaries to Shuman Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 30, 2004.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users 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 FWPCA (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E45-464. Jim Schlier, P. O. Box 471, Tannersville, PA 18372, in Pocono Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in a de minimus area of PEM wetlands equal to 0.01 acre for the purpose of expanding the usable area of a commercial property. The project is located between SR 0080 and SR 4004 (Camelback Road), approximately 0.4 mile south of Interchange 44 (Mount Pocono, PA Quadrangle N: 8.8 inches; W: 9.2 inches).

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

E22-476: PennDOT District 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Upper Paxton Township, **Dauphin County**, ACOE Baltimore District.

To remove the existing bridge and then to construct and maintain a new single span bridge of 88.3 feet with a minimum underclearance of 6 feet across Little Wisconsin Creek (WWF) to be located 35 feet downstream of the existing bridge in order to improve roadway alignment and safety of SR 4008, Section 012, Segment 0010, Offset 0843 located 0.3 mile south of Killinger Village (Millersburg, PA Quadrangle N: 10.2 inches; W: 6.53 inches) located in Upper Paxton Township, Dauphin County.

E36-778: Lititz Borough, 7 South Broad Street, Lititz, PA 17543 in Lititz Borough, **Lancaster County**, ACOE Baltimore District.

To restore and maintain 1,200 linear feet of the Santo Domingo Creek and its floodplain to provide for streambank erosion protection, all tributary to Santo Domingo Creek (WWF), located on the Lititz, PA Quadrangle (Latitude—40° 09' 36", Longitude—76° 17' 54") in Lititz Borough, Lancaster County.

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

E17-398. International Custom Products, Inc. (ICP), Okalahoma-Salem Road, Dubois, PA 15801. Sanitary Sewer Line Installation in Sandy Township,

Clearfield County, ACOE Baltimore District (Luthersburg, PA Quadrangle N: 19.25 inches; W: 15.50 inches).

The applicant proposes to construct and maintain an estimated 4,800 feet of 3 inch diameter polyvinyl chloride sanitary sewer line. The sanitary sewer line would extend from the International Custom Products planned facility expansion site to an existing City of Dubois sanitary sewer manhole located on Hillcrest Avenue, approximately 275 feet West of Sixth Street. Placing the sewer line will affect 1426 linear feet of wetland due to boring of the sewer line below the wetlands, 0.21 acres of wetland for manhole connection, and 151 linear feet of stream by crossing an unnamed intermittent tributary of Reisinger Run. No mitigation is proposed because there are no permanent wetland or stream impacts projected.

E49-277. Milton Regional Sewer Authority, P. O. Box 433, Milton, PA 17847. Milton Wastewater Collection Expansion, in West Chillisquaque Township, **Northumberland County**, ACOE Baltimore District, located at centroid (Northumberland, PA Quadrangle N: 19.55 inches; W: 14.92 inches).

To construct, operate and maintain one pump station within the floodway and one pump station within the floodplain and approximately 50,000 linear feet of 8-inch forcemains and approximately 50,000 linear feet of 8-inch gravity sanitary sewer line within the Susquehanna River watershed (WWF) for the treatment of municipal wastewater. Construction of the sanitary sewer lines will require the two stream and four wetland crossings that are as follows:

<i>Stream Name</i>	<i>Number of Crossings</i>	<i>Total Length of Crossings</i>
Unnamed Tributary-Susquehanna River	1	10-foot
Housels Run	1	25-foot
Wetland (adjacent to Sodom Road)	1	500-foot
Wetland (adjacent to Milton Center)	1	800-foot
Wetland (adjacent to Housels Run)	1	20-foot
Wetland (near East Lewisburg)	1	30-foot

All sewer line crossings shall be constructed with a minimum of 3-feet of cover with concrete encasement beneath the waterways. Trench plugs or clay dikes shall be used at every sewer line crossing a waterway or wetland to ensure the hydrology of the streams or wetland is not altered. The project will impact 1,350 linear feet of jurisdictional wetlands and 35-feet of waterway. The project is located along in the Milton Area.

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

E02-1469. O'Hara Township Council, 325 Fox Chapel Road, Pittsburgh, PA 15238. Continental Boulevard Culvert in O'Hara Township, **Allegheny County**, Pittsburgh ACOE District. (Pittsburgh East, PA Quadrangle N: 20.3 inches; W: 0.3 inches) (Latitude: 40° 29' 12" and Longitude: 79° 52' 38"). The applicant proposes to construct and maintain an arch culvert having a span of 20' and underclearance of 15.3' for approximately 50 feet over Squaw Run (HQ-WWF) for a proposed township roadway (Continental Blvd.) to construct and maintain a stormwater outfall to the same stream, to construct and maintain a temporary roadway crossing across the same stream and to place and maintain fill in 0.024 acre of wetlands. The proposed roadway is for providing access to

a new development. The roadway will connect River Front Drive to the proposed Chapel Harbor Drive.

E04-304. Beaver County Corporation for Economic Development, 250 Insurance Street, Suite 300, Beaver, PA 15009. Westgate Business Park wetland fill in Big Beaver Borough, **Beaver County**, Pittsburgh ACOE District. (Beaver Falls, PA Quadrangle N: 12.3 inches; W: 9.7 inches) (Latitude: 40° 49' 4" and Longitude: 80° 19' 12"). The applicant proposes to place and maintain fill in four wetlands: wetland No. 1) 0.48 acre, Wetland No. 2) 0.02 acre and Wetland No. 6) 1.80 acres and Wetland No. 7) 0.40 acres for a total impact of 2.7 acres of wetlands (PEM/PSS) located within the Stockman Run (WWF) and Beaver River (WWF) watersheds for the purpose of developing the BCCED Route 18 Business Park. The applicant also proposes to temporarily impact 0.52 acre of wetlands for the construction of utilities. The project is located on the Northeast side of the Route 18 and the Pennsylvania Turnpike Interchange (SR 76). This replacement includes compensation for 1.04 acres of wetlands previously filled at the site under a different owner. This project will permanently impact 2.7 acres of wetlands and temporarily impact 0.52 acre of wetlands. To meet the wetland replacement requirement the applicant proposed to construct 4.3 acres of wetlands.

ACTIONS

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

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

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users 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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0024732 Sewage	Elizabeth Township Sanitary Authority 2420 Greenock Buena Vista Road McKeesport, PA 15135	Allegheny County Elizabeth Township	Youghiogheny River	N
PA0090638 Sewage	White Township Municipal Authority 950 Indian Springs Road Indiana, PA 15701	Indiana County White Township	Unnamed Tributary of Two Lick Creek	Y
PA0091651 Sewage	Unity Township Municipal Authority 1106 Beatty County Road Latrobe PA 15650	Westmoreland County Unity Township	Unnamed Tributary of Fourmile Run	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0094790 Sewage	Briko L.L.C. 110 Fremont Avenue Portage, PA 15946	Cambria County Adams Township	Unnamed Tributary of Sandy Run	Y
PA0095478 Sewage	Estate of Herman Uchelvich P. O. Box 24 Perryopolis, PA 15473	Fayette County Jefferson Township	UNT to Little Redstone Creek	Y
PA0218103 Sewage	Worthington West Franklin Jt Muni Auth P. O. Box 0 Worthington, PA 16262	Armstrong County West Franklin Township	Buffalo Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0100790	Raymond P. DiLoreto 6059 Grubb Road Erie, PA 16506-4608	Millcreek Township Erie County	Unnamed tributary to Thomas Run	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Actions

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

NPDES Permit No. PA0081574, Sewage, Salisbury Township, **Gap Sewage Treatment Plant**, 5581 Old Philadelphia Pike, Gap, PA 17527.

This proposed facility is located in Salisbury Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of the Pequea Creek in Watershed 7-K.

NPDES Permit No. PA0083933, Sewage, **Georgetown Area Sewer Authority**, 46 Quarry Road, Quarryville, PA 17566.

This proposed facility is located in Bart Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to the Nickel Mines Run in Watershed 7-K.

NPDES Permit No. PA0010511, Industrial Waste, **Spring Glen Fresh Foods, Inc.**, 314 Spring Glen Drive, Ephrata, PA 17522.

This proposed facility is located in Ephrata Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to the Conestoga River in Watershed 7-J.

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

NPDES Permit No. PA0001287-A1, Industrial Waste, **Armstrong World Industries**, 1018 11th Street, Beaver Falls, PA 15010.

This facility is located in Beaver Falls, **Beaver County**.

Description of Proposed Action/Activity: Deletion of stormwater monitoring and reporting requirements.

III. WQM Industrial Waste and Sewerage 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.

WQM Permit No. 4504401, Sewerage, **Blue Mountain Lake Associates, LP**, One Blue Mountain Lake, East Stroudsburg, PA 18301.

This proposed facility is located in Stroud Township, **Monroe County**.

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

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

WQM Permit No. 6703411 Sewerage, **Jackson Township Sewer Authority**, 439 Roth's Church Road, Spring Grove, PA 17362.

This proposed facility is located in Jackson Township, **York County**.

Description of Proposed Action/Activity: Authorization for the construction and operation of a Pump Station and gravity sewers.

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

WQM Permit No. 6304201, Industrial Waste, **David E. Carlson**, P. E., U. S. Army Corps of Engineers-Pittsburgh District, William S. Moorhead Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222-4745.

This proposed facility is located in Charleroi Borough, **Washington County**.

Description of Proposed Action/Activity: Construction of sedimentation ponds to treat wastewater and stormwater from concrete manufacturing.

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

WQM Permit No. 2004404, Sewerage, **Emmett E. and Marilyn C. Carr**, 20562 Cole Road, Conneautville, PA 16406.

This proposed facility is located in Conneaut Township, **Crawford County**.

Description of Proposed Action/Activity: Sewage discharge for a single residence.

IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Permit Actions

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021303004	Pennsylvania Dept. of General Services 18th & Herr Street Tent Bldg. Harrisburg, PA 17120	Carbon	Kidder Township	Hickory Run HQ-CWF
PAI023904002	Parkwood Real Estate Trust, LLC 2451 Parkwood Drive Allentown, PA 18103-9608	Lehigh	Salisbury Township	Little Lehigh Creek HQ-CWF
PAI023904009	Prime Group Partnership 2930 Fairview Street Allentown, PA 18103-2818	Lehigh	Upper Milford Township	Little Lehigh Creek HQ-CWF
PAI023904005	Konstantinos A. Tantaros & Barbara A. Tantaros 4200 Indian Creek Rd. Emmaus, PA 18049	Lehigh	Upper Milford Township	Little Lehigh Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10H053-R-1	S & A Custom Built Homes, Inc. 5709 Linglestown Road Harrisburg, PA 17112	Cumberland	South Middleton Township	Letort Spring Run EV

Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI090304001	PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800	Armstrong	West Franklin Township	Unnamed Tributary to Buffalo Creek (HQ-TSF)

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Single Residence Sewage Treatment Plants
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems

PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

General Permit Type—PAG-02

<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>
City of Scranton Lackawanna Co.	PAG2003504004	Robert Angeloni 1615 E. Elm St. Scranton, PA 18505	Lackawanna River WWF	Lackawanna County Conservation District (570) 281-9495
Whitehall Twp. Lehigh Co.	PAG2003904009	K & M Associates 496 Lone Lane Allentown, PA 18104	Jordan Creek TSF, MF	Lehigh County Conservation District (610) 391-9583
Polk Twp. Monroe Co.	PAG2004504001	William Baumgartner R. R. 4, Box 4290 Kunkletown, PA 18058	Pohopoco Creek CWF	Monroe County Conservation District (570) 629-3060
Lower Nazareth Twp. Northampton Co.	PAG2004803035-1	Higgins Development Partners 1420 Spring Hill Rd. Suite 470 McLean, VA 22102	Shoeneck Creek WWF	Northampton County Conservation District (610) 746-1971
Palmer Twp. Northampton Co.	PAG2004804005	Alex Hornstein Hornstein Enterprises 1150 S. Cedar Crest Blvd. Allentown, PA 18103	Shoeneck Creek WWF	Northampton County Conservation District (610) 746-1971
Bridgewater Twp. Susquehanna Co.	PAG2005804004	Schuyler Real Estate 596 New London Rd. Latham, NY 12110	Lake Montrose— Snake Creek CWF	Susquehanna County Conservation District (570) 278-4600
Scott Township Columbia County	PAG2001904003	Delmar Zeisloft P. O. Box 338 Bloomsburg, PA 17815	Tributary No. 1 to Kinney Run CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310
Cambria County Susquehanna Twp.	PAG2001104001	Indiana County Municipal Services Authority 827 Water Street Indiana, PA 15701	West Branch of the Susquehanna River (CWF) Peg Run (CWF) Emeigh Run (CWF)	Cambria County CD (814) 472-2120
Cambria County City of Johnstown	PAG2001104005	David Frank 3271 McCully Road Allison Park, PA 15101	Conemaugh River (WWF)	Cambria County CD (814) 472-2120
Washington County City of Washington	PAG2006304016	Washington East Joint Authority 66 East Beau Street P. O. Box 510 Washington, PA 15301	Chartiers Creek (WWF)	Washington County CD (724) 228-6774
Westmoreland County East Huntingdon Twp.	PAG2006504007	James Solomon R. D. 3 Box 389 A Alverton, PA 15612	Buffalo Run (WWF)	Westmoreland County CD (724) 837-5271

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>
Westmoreland County Rostraver Twp.	PAG2006504023	The Peoples Natural Gas Co. 1201 Pitt Street Pittsburgh, PA 15221	Pollock Run Watershed (WWF)	Westmoreland County CD (724) 837-5271
Clarion County Redbank Township	PAG2081604001	EOG Resources, Inc. 400 Southpointe Blvd Suite 300 Canonsburg, PA 15317	Town Run (CWF) Middle Run (CWF) Leisure Run (CWF)	Northwest Region Oil and Gas Mgmt 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6860

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>
Mifflin County Granville Township	PAR223515	CMH Manufacturing Inc., dba Marlette Homes, Inc. P. O. Box 947 Lewistown, PA 17044	Juniata River/WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County Bedford Township	PAR113540	JLG Industries, Inc. JLG Bedford Lift Truck Plant 1 JLG Drive McConnellsburg, PA 17233	Raystown Branch Juniata River/WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Muhlenberg Township	PAR233543	MG Industries Reading Plant 3 Great Valley Parkway Malvern, PA 19355	Schuylkill River/CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Derry Township	PAR123505	Hershey Foods Corp. West Hershey Plant 1033 Old West Chocolate Avenue Hershey, PA 17033	No Point Discharge/Spring Creek/WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Lancaster City	PAR233534	R. R. Donnelley & Sons Company 216 Greenfield Road Lancaster, PA 17601-5885	Unt Conestoga River/WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

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>
Conneaut Township Crawford County	PAG048969	Emmett E. and Marilyn C. Carr 20562 Cole Road Conneautville, PA 16406	Unnamed Tributary to Conneaut Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Conewango Township Warren County	PAG048611	Rodger B. Taraska 869 Yankee Bush Road Warren, PA 16365	Unnamed Tributary of Irvine Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8

<i>Facility Location and County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name & Location</i>	<i>Contact Office and Phone No.</i>
Blair Township Blair County	PAG083589	Freedom Twp. Water and Sewer Authority P. O. Box 156 East Freedom, PA 16637		DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-8 (SSN)

<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>
Lenox Township Susquehanna County	PAG08-2212	Lackawanna River Basin Sewer Authority	William Belack Farm Lenox Township Susquehanna County	NERO 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Lynn Township Lehigh County	PAG08-2203 PAG07-0003 PAG08-0008 PAG08-0003 PAG08-3502 PAG08-3522 PAG08-3542 PAG08-3551 PAG08-0006 PAG08-3540 PAG08-9903 PAG08-9905 PAG08-2201 PAG07-0005 PAG08-3515 PAG08-3501 PAG08-3825 PAG08-0002 PAG08-3547 PAG08-3506 PAG08-3518 PAG08-3535 PAG08-9904 PAG08-3517	Synagro Mid-Atlantic	Martin & Glenda Bennicoff	NERO 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511

General Permit Type—PAG-9

<i>Facility Location and County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name & Location</i>	<i>Contact Office and Phone No.</i>
East Hanover Township Lebanon County	PAG093507	Bauman's Septic Service 1570 Sportsburg Road Grantville, PA 17028		DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Perry Township Jefferson County	PAG098303	Clifford Neal Neal Septic Tank Service 1570 Sportsburg Road Punxsutawney, PA 15767-1103	Neal Septic Tank Service 1570 Sportsburg Road Punxsutawney, PA 15767-1103	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Perry Township Jefferson County	PAG098304	Ramon L. Sterling Sterling Sanitation Service 37021 Tryonville Road Centerville, PA 16404-4547	Sterling Sanitation Service 37021 Tryonville Road Centerville, PA 16404-4547	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

CAFO Notices of Intent Received

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

PAG123585 CAFO, Larry E. Breneman, 774 Bunker Hill Road, Strasburg, PA 17579.

This proposed facility is located in Strasburg Township,
Lancaster County.

Description of Size and Scope of Proposed Operation/
Activity: The Larry Breneman Farm is an existing swine
operation with a total AEU's of 379.0. This operation
consists of 3,200 wean to finish swine with a total annual
manure production of 6,528 tons. The manure storage
system was designed and built by King Construction. The
barn dimensions are 101' x 294' with a 6 foot manure
storage vault beneath the animal living area. The manure
is stored in the structure until it can be properly applied
to agricultural crop fields. Of the 1,566,696 gallons of

manure generated on the farm, 690,000 gallons is used on the farm with 876,696 gallons exported from the farm.

The receiving stream, Little Beaver Creek, is in watershed 7-K and classified for: TSF.

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

PAG123586 CAFO, Joe Sweeney, Rocky Knoll Farm, P. O. Box 634, Harrisburg, PA 17103. This proposed facility is located in West Lampeter Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: The Rocky Knoll Farm is an existing swine operation with a total AEUs of 505.3. This operation consists of 4,400 wean to finish swine with a total annual manure production of 20,834 tons. The manure feeds into a manure digester where it mixes with food processing waste to produce biogas and electricity. All the material is stored in a 134' diameter by 12' deep concrete manure storage (1,200,000 gallon). Of the 5,000,000 gallons of manure generated on the farm, 854,000 gallons are used on the farm with 4,146,000 gallons exported from the farm.

The receiving stream, Big Spring Run, is in watershed 7-J and classified for: CWF.

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

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users 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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act.

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

Operations Permit issued to: **Winola Water Co., Inc.**, 117 Stor Street., Taylor, PA 18517 (PWS ID 2660004) Overfield Township, **Wyoming County** on May 14, 2004 for the operation of facilities approved under construction permit No. N/A.

Operations Permit issued to: **South Whitehall Township Authority**, 4444 Walbert Avenue, Allentown, PA 18104-1699 (PWS ID 3390065) South Whitehall Township, **Lehigh County** on May 21, 2004 for the operation of facilities approved under construction permit No. 3903502 and No. 3903501.

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

Permit No. 6704508 MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania American Water
Municipality	Fairview Township
County	York
Type of Facility	This permit approves the installation of a pressure reducing valve vault for the entire water distribution system for the Fairfield Development in York County.
Consulting Engineer	James C Elliot, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Permit to Construct Issued:	June 21, 2004

Permit No. 0603520, Public Water Supply.

Applicant	Reading Area Water Authority
Municipality	Ontelaunee Township
County	Berks

Type of Facility Water main extension to Ontelaunee Township and construction of a chlorine booster pump station.

Consulting Engineer Thomas L. Weld Jr, P. E.
BCM Engineers
920 Germantown Pike
Plymouth, PA 19462

Permit to Construct Issued: June 21, 2004

Northcentral Region: Water Supply Management Program Manager, 203 West Third Street, Suite 101, Williamsport, PA 17701.

Permit No. 5504501

Applicant **Penn Township Municipal Authority**

Municipality Penn Township

County **Snyder County**

Type of Facility Public Water Supply—pump station

Consulting Engineer Gannett Fleming Inc.
800 Leonard Street, Suite 1
Clearfield PA 16830

Permit to Construct Issued May 18, 2004

Permit No., Minor Amendment. Public Water Supply.

Applicant **Williamsport Municipal Water Authority**

Municipality City of Williamsport

County **Lycoming County**

Type of Facility Public Water Supply—sandblasting & painting of Youngman tank

Consulting Engineer None

Permit to Construct Issued May 18, 2004

WATER ALLOCATIONS

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

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

WA 28-1020, Water Allocations. Guilford Water Authority, Franklin County. The applicant is requesting the right to purchase 10,000 gpd based on a thirty day average from Franklin County General Authority. Consulting Engineer: Diana Young, P.E., Buchart-Horn, Inc. Permit Issued: February 26, 2004.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Spring Township	1309 Blanchard St. Bellefonte, PA 16823	Centre

Plan Description: The approved plan provides for a gravity sewage collection system with pump station and force main to serve 26 EDU's in the Sunnyside area of Spring Township and a gravity sewage collection system with pump station and force main to serve 77 EDU's in the Green's Valley area of the Township. The plan also proposes the implementation of a sewage management program for the remainder of Spring Township that is served by onlot sewage disposal systems. Sewage from the two proposed sewer service areas will be conveyed to the existing Spring, Benner, Walker Joint Authority sewer system and then to the Bellefonte Sewage Treatment Plant. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in the Department regional office after which the notice of receipt of plans or reports appears. If information con-

cerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Wire-Coe-Dowdy Property, Manheim Township, **Lancaster County**. Skelly & Loy, Inc., 2601 North Front Street, Harrisburg, PA 17110, on behalf of Elizabeth Wire, 246 West Ridge Road, Dillsburg, PA 17109, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Fuel Oil No. 2. The report is intended to document remediation of the site to meet a combination of the requirements for Statewide Health and Background standards.

Aspens, Inc., City of Lebanon, **Lebanon County**. MACTEC Engineering and Consulting, Inc., 5205 Militia Hill Road, Plymouth Meeting, PA 19462, on behalf of Beneficial Communities, LLC, 3131 Clark Road, Suite 203, Sarasota, FL 34231 and George Christianson, 411 Chestnut Street, Lebanon, PA 17042, submitted a Remedial Investigation Report and a Cleanup Plan concerning remediation of site soils contaminated with inorganics. The applicant is seeking to demonstrate attainment of the Site-specific standard.

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

Jackson MHP—Lot No. 65, Wysox Township, **Bradford County**. Teeter Environmental Services, Inc. on behalf of its client William Them, Jackson Mobile Home Park, R. R. 2, Wysox, PA 18854, has submitted a Final Report concerning soil and groundwater contaminated with No. 2 fuel oil. This Final Report is intended to demonstrate attainment of the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

Defense Distribution Depot Susquehanna PA IRP Site 60, Fairview Township, **York County**. Defense Distribution Depot Susquehanna PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002, submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The final report demonstrated attainment of the Site-specific standard, and was approved by the Department on April 21, 2004.

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

SMS Sutton, Bellefonte Borough, **Centre County**. Chambers Environmental Group, Inc. on behalf of its client SMS Eumuco, Inc. 234 South Potter Street, Bellefonte, PA 16823, has submitted a Final Report concerning groundwater contaminated with lead and inorganics. This Final Report demonstrated attainment of the Site-specific Standard and was approved by the Department on May 13, 2004.

MUNICIPAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGM002E. Magellan EnviroGas Monroeville, LLC., 5160 Parkstone Drive, Chantilly, VA 20151.

This general permit was issued on January 26, 2004 to Allegheny Energy Resources, Inc. for the processing and beneficial use of landfill gas (LFG) to produce medium to high BTU landfill gas, generated by the landfill disposal of municipal or residual waste, for use as a substitute for natural gas or other fuel.

Based on the information provided in the application, the processing and beneficial use of LFG produced at this Monroeville landfill gas facility is now under the ownership and management of Magellan EnviroGas Monroeville, LLC.

Notice is hereby given of the re-issuance of the General Permit Numbered WMGM002E granting Magellan EnviroGas Monroeville, LLC. the processing and beneficial use of LFG to produce medium to high BTU landfill gas, generated by the landfill disposal of municipal or residual waste at Monroeville landfill gas facility as specified in the general permit. Central Office approved the re-issuance of this general permit on May 19, 2004.

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

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. WMGR082D002. AMSI—US LLC., 897 Perry Hwy, Harmony, PA 16037. The general permit authorizes processing of steel slag, iron slag, and refractory bricks that were co-disposed with slag for removal of metallic residuals and mechanical sizing prior to beneficial use as construction material. The Department issued the determination of applicability on May 21, 2004.

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

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

40-310-058GP3: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104) on May 13, 2004, to construct and operate a portable stone crushing plant and associated air cleaning device at their facility at 51 Small Mountain Road, Dorrance Township, **Luzerne County**.

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

20-273: Great Lakes Energy Partners, LLC—Izbicki Station (State Route 1024, Canadota Road, Union City, PA 16438) on May 31, 2004, to operate a natural gas fired compressor engine in Bloomfield Township, **Crawford County**.

20-273: Great Lakes Energy Partners, LLC—Hasbrouck Station (Bethel Road, Titusville, PA 16354) on May 31, 2004, to operate a natural gas fired compressor engine in Rome Township, **Crawford County**.

62-173: Belden & Blake—Kingsly Station (Page Hollow Road, Pittsfield, PA 16340) on May 17, 2004, to operate a natural gas fired compressor engine in Pittsfield Township, **Warren 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.

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

39-312-049: Gulf Oil LTD Partnership (90 Everett Avenue, P. O. Box 9151, Chelsea MA 02150) on May 11, 2004, to modify storage tank No. 108 to be utilized to store gasoline by installing an internal floating roof in the tank at their facility in Whitehall Township, **Lehigh County**.

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

04-00706C: Beaver Valley Slag, Inc. (6010 Woodlawn Road, Aliquippa, PA 15001) on May 19, 2004, to install a second slag screening system, a 140 HP diesel engine, two 210 HP diesel engines at Black's Run Slag Mine in Center Township, **Beaver County**.

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

25-952E: Bush Industries, Inc.—Erie Plant (2455 Robison Road, Erie, PA 16509) on May 17, 2004, to modify a maintenance schedule associated with permitted baghouses in the City of Erie, **Erie County**.

43-270A: CCL Container (One Llodio Drive, Hermitage, PA 16148-9015) on May 17, 2004, to replace an existing 25,000 cfm incinerator with a new 30,000 cfm regenerative catalytic oxidizer in Hermitage, **Mercer County**. This is a Title V facility.

10-001I: AK Steel Corporation—Butler Works (Standard Avenue, Butler, PA 16003-0832) on May 14, 2004, to revise NOx and CO emission limits at No. 3 Baghouse inlet (Melt Shop) in Butler, **Butler County**. This is a Title V facility.

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

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

09-0019A: Miller and Son Paving, Inc. (1371 West Street Road, Warminster, PA 18974) on May 19, 2004, to operate a batch asphalt plant in Wrightstown Township, **Bucks County**.

09-0157: Arawak Paving Co., Inc. (7503 Weymouth Road, Hammonton, PA 08037) on May 18, 2004, to operate a bituminous concrete drum-mix plant in Bristol Township, **Bucks County**.

23-0012: Epsilon Product Company, LLC (Post Road and Blueball Avenue, P. O. Box 432, Marcus Hook, PA 19061) on May 19, 2004, to operate Plant No. 2 and thermal oxidizer in Marcus Hook Borough, **Delaware County**.

23-0094: Steinbeis Packaging LLC (1515 Garnet Mine Road, Boothwyn, PA 19061) on May 19, 2004, to operate a rotogravure printing press in Bethel Township, **Delaware County**.

15-0058: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506) on May 20, 2004, to operate a tertiary crusher and sizing screen in West Brandywine Township, **Chester County**.

15-0058A: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506) on May 20, 2004, to operate a primary crusher in West Brandywine Township, **Chester County**.

46-0194A: Freedom Alloys, Inc. (155 Railroad Plaza, Royersford, PA 19468) on May 20, 2004, to operate a 4,000 pound inductotherm furnace in Royersford Borough, **Montgomery County**.

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

64-303-009: Leeward Construction, Inc., (R. R. No. 6, Box 6825, Honesdale, PA 18431) on May 3, 2004, to construct a batch asphalt plant and associated air cleaning device at their facility in Palmyra Township, **Wayne County**.

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

53-00004B: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222) on May 19, 2004, to operate five 2,000 horsepower natural gas-fired reciprocating internal combustion compressor engines (Engines 2—6) on a temporary basis, until September 16, 2004, at

the Harrison Compressor Station in Harrison Township, **Potter County**. The plan approval has been extended.

14-00014A: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on May 21, 2004, to operate a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) on a temporary basis, until September 18, 2004, in Spring Township, **Centre County**. The plan approval has been extended.

41-303-009: HRI, Inc. (1750 West College Avenue, State College, PA 16801) on May 21, 2004, to operate a batch asphalt concrete plant and associated air cleaning device (a fabric collector) on a temporary basis, until September 18, 2004, in the City of Williamsport, **Lycoming County**. The plan approval has been extended.

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

65-00280A: Kalumetals, Inc. (P. O. Box 455, Latrobe, PA 15650) on May 21, 2004, to install a thermal oxidizer and afterburner in Derry Township, **Westmoreland County**. This plan approval was extended.

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

61-193C: National Fuel Gas—Henderson Station (Route 965, Henderson, PA 16153) on May 13, 2004, to modify the dehydration still unit in Mineral Township, **Venango County**.

37-023C: Orion Power Midwest, LP—New Castle Plant (Route 168, New Castle, PA 16101) on May 31, 2004, to install SNCR in Taylor Township, **Lawrence County**.

Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.

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

55-399-005: Professional Building Systems, Inc. (72 East Market Street, Middleburg, PA 17842) on May 12, 2004, a request to amend numerous plan approval conditions pertaining to a modular home manufacturing facility was denied because the resultant net increase in volatile organic compound emissions was significant enough to constitute a "modification" requiring plan approval in Middleburg Borough, **Snyder County**.

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

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

46-00192: St. Charles Borromeo Seminary (100 East Wynnewood Road, Wynnewood, PA 19096) on May 11, 2004, to operate a natural minor operating permit in Lower Merion Township, **Montgomery County**.

15-0104: Tasty Baking Oxford, Inc. (700 Lincoln Avenue Oxford, PA 19363) on May 12, 2004, to operate their facility VOC/NOx RACT in Oxford Borough, **Chester County**.

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

38-05023: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105) on May 20, 2004, to operate an asphalt batch plant controlled by a knockout box and a fabric collector at their Prescott Quarry in South Lebanon Township, **Lebanon County**.

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

25-00946: PSB Industries, Inc. (1202 West 12th Street, Erie, PA 16501) on May 18, 2004, for a Natural Minor operating permit for emissions from abrasive blasting and surface coating in the City of Erie, **Erie County**.

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

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

22-05024: Milton S. Hershey Medical Center (P. O. Box 850, Hershey, PA 17033) on May 18, 2004, to operate a healthcare facility in Derry Township, **Dauphin County**. The State-only operating permit was modified to remove the 100 hour per year operating limit for the human cremation chamber. This is Revision No. 1 of the operating permit.

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

17-305-042: DTE River Hill, LLC—DTE Synfuel Operations, LLC (414 South Main Street, Ann Arbor, MI 48104) on May 18, 2004, to administratively amend the operating permit to reflect a change in the operator of a coal fines agglomeration ("synfuel") facility from Covol Fuels, A Division of Headwaters, Inc. to DTE Synfuel Operations, LLC in Karthaus Township, **Clearfield County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permit Actions

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

13990201R. Rossi Excavating Company (9 West 15th Street, Hazleton, PA 18201). Renewal of an existing coal refuse reprocessing operation in Banks Township, **Carbon County**, affecting 493.0 acres. Receiving stream: none. Application received: December 1, 2003. Renewal issued: May 18, 2004.

54921601R2. Vito J. Rodino, Inc. (138 Haddock Road, McAdoo, PA 18237). Renewal of an existing coal preparation plant operation in Rush Township, **Schuylkill County**, affecting 10.0 acres. Receiving stream: none. Application received: February 17, 2004. Renewal issued: May 18, 2004.

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

30841316. NPDES Permit No. PA0213535. Consol Pennsylvania Coal Company (P. O. Box 355, 172 Route 519, Eighty Four, PA 15330), to revise the permit for the Bailey Mine and Prep Plant in Richhill Township, **Greene County** to add underground permit area acres and add and delete subsidence control plan area acres. Underground Acres Proposed 15.9, SCP Acres Proposed 1978.5. No additional discharges. Permit issued May 17, 2004.

03981301. NPDES Permit No. PA0214198. Parkwood Resources, Inc. (P. O. Box 552, Somerset, PA 15501-0552), to renew the permit for the Parkwood Mine in Plumcreek and South Bend Townships, **Armstrong County** and **Indiana County** and related NPDES Permit. No additional discharges. Permit issued May 20, 2004.

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

24900102 and NPDES Permit No. PA0207870. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous strip, auger and tipple refuse disposal operation in Fox and Horton Townships, **Elk County** affecting 143.0 acres. This renewal is issued for reclamation only. Receiving streams: Brandy Camp Creek and unnamed tributary to Little Toby Creek. Application received: March 18, 2004. Permit issued: May 13, 2004.

33030101 and NPDES Permit No. PA0242292. Strishock Coal Company (220 Hillcrest Drive, DuBois, PA 15801). Commencement, operation and restoration of a bituminous strip operation in Washington Township, **Jefferson County** affecting 103.5 acres. Receiving stream: Horm Run. Application received: February 5, 2003. Permit issued: May 17, 2004.

1229-33030101-E-1. Strishock Coal Company (220 Hillcrest Drive, DuBois, PA 15801). Application for a stream encroachment to conduct mining activities within 100 feet of unnamed tributary No. 2 to Horm Run in Washington Township, **Jefferson County**. Receiving stream: Horm Run. Application received: February 5, 2003. Permit issued: May 17, 2004.

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

56940101 and NPDES Permit No. PA02122768. Future Industries, Inc. (P. O. Box 157, Meyersdale, PA 15552). Surface mining permit renewal in Brothersvalley Township, **Somerset County**, affecting 205.9 acres. Re-

ceiving streams: Unnamed tributaries to Buffalo Creek and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 12, 2004. Permit issued: May 17, 2004.

32880108 and NPDES Permit No. PA0598313. M. B. Energy, Inc. (P. O. Box 1319, Indiana, PA 15701-1319). Surface mine renewal for reclamation only in Brushvalley Township, **Indiana County**, affecting 133.2 acres. Receiving streams: unnamed tributary to Brush Creek; unnamed tributary to Yellow Creek classified for the following uses: both CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 13, 2004. Permit issued: May 18, 2004.

56803093 and NPDES Permit No. PA124656. Croner, Inc. (P. O. Box 260, Friedens, PA 15541). Surface mine renewal for reclamation only in Brothersvalley Township, **Somerset County**, affecting 79.6 acres. Receiving streams: unnamed tributaries to Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 12, 2004. Permit issued: May 18, 2004.

32803053 and NPDES Permit No. PA0124770. A & T Coal Company, Inc., c/o Vapco Engineering (P. O. Box 327, Punxsutawney, PA 15767-0327). Surface mining permit renewal for reclamation only in Banks Township, **Indiana County**, affecting 160.0 acres. Receiving streams: unnamed tributary to South Branch Bear Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 22, 2004. Permit issued: May 18, 2004.

11793025 and NPDES Permit No. PA0089524. E. P. Bender Coal Company (South Main Street, P. O. Box 565-566, Carrolltown, PA 15722). SMP renewal for reclamation only in Dean Township, **Cambria County**, affecting 400 acres. Receiving streams: Unnamed tributary to Brubaker Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 25, 2004. Permit issued: May 18, 2004.

56930108 and NPDES Permit No. PA0212539. Zubek, Inc. (173 House Coal Road, Berlin, PA 15530). Permit renewal for continued operation of a bituminous surface mine (coal refuse reprocessing) in Stonycreek Township, **Somerset County**, affecting 86.0 acres. Receiving streams: unnamed tributary to Schrock Run and Schrock Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority Stonycreek surface withdrawal. Application received: June 9, 2003.

Noncoal Permit Actions

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

58040814. Michael Fabrizi, Jr. (616 Franklin Avenue, Susquehanna, PA 18847). Commencement, operation and restoration of a Small Industrial Mineral (bluestone, shale and fill) Quarry operation in Harmony Township, **Susquehanna County**, affecting 3.0 acres. Receiving stream: South Branch Canawacta Creek. Application received: March 11, 2004. Permit issued: May 18, 2004.

58040821. Mark H. Sherman (17 Wilson Avenue, Susquehanna, PA 18847). Commencement, operation and restoration of a Small Industrial Mineral (bluestone,

shale and fill) Quarry operation in Jackson Township, **Susquehanna County**, affecting 3.0 acres. Receiving streams: Tributaries to Lewis and East Lake Creeks. Application received: March 30, 2004. Permit issued: May 18, 2004.

58040822. Matthew R. McClain (423 State Route 6 East, Tunkhannock, PA 18657). Commencement, operation and restoration of a Small Industrial Mineral (bluestone) Quarry operation in Brooklyn Township, **Susquehanna County**, affecting 5.0 acres. Receiving stream: none. Application received: April 5, 2004. Permit issued: May 18, 2004.

64042803. Kevin Schrader (P. O. Box 262, Lake Como, PA 18437). Commencement, operation and restoration of a quarry operation in Preston and Buckingham Townships, **Wayne County**, affecting 5.0 acres. Receiving stream: none. Application received: March 18, 2004. Permit issued: May 18, 2004.

64042804. Wayco, Inc. (P. O. Box Y, Waymart, PA 18472). Commencement, operation and restoration of a quarry operation in South Canaan Township, **Wayne County**, affecting 5.0 acres. Receiving stream: none. Application received: April 7, 2004. Permit issued: May 20, 2004.

58040813. Tammy Lynn Norton (R. R. 2 Box 135C, New Milford, PA 18834). Commencement, operation and restoration of a quarry operation in Oakland Township, **Susquehanna County**, affecting 5.0 acres. Receiving stream: none. Application received: March 1, 2004. Permit issued: May 21, 2004.

58040815. James Frystak (R. R. 2, Box 110, Montrose, PA 18801). Commencement, operation and restoration of a quarry operation in Forest Lake Township, **Susquehanna County**, affecting 2.0 acres. Receiving stream: none. Application received: March 8, 2004. Permit issued: May 21, 2004.

ABANDONED MINE RECLAMATION

Cambria Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, (814) 472-1800.

Bond Forfeiture	
Contract Awarded	BF 378-101.1
Location	Boggs Township, Clearfield County
Description	Act 181, Bond Forfeiture Reclamation, Hill Coal Company Enterprises
Contractor	Cuomo Contracting and Excavating Altoona, PA
Amount	\$376,710
Date of Award	May 20, 20004

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

ACTIONS ON BLASTING PERMIT

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

39044007. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Blue Ridge West Estates in Upper Saucon Township, **Lehigh County**, with an expiration date of June 17, 2005. Permit issued: May 18, 2004.

39044008. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Villas at South Mountain Housing in the City of Allentown, **Lehigh County**, with an expiration date of June 17, 2005. Permit issued: May 18, 2004.

36044043. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting at Donald Musser Dairy Barn in East Earl Township, **Lancaster County**, with an expiration date of September 13, 2004. Permit issued: May 18, 2004.

06044021. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), blasting for water trench line on West Vine Street, Fleetwood Borough, **Berks County**, with an expiration date of June 12, 2005. Permit issued: May 19, 2004.

06044020. Pavex, Inc. (4400 Gettysburg Road, Camp Hill, PA 17011), and **Kesco, Inc.** (127 Oneida Valley Road, Butler PA 16001), blasting for a ditch line on Cabella Road in Tilden Township, **Berks County**, with an expiration date of December 12, 2004. Permit issued: May 19, 2004.

38044006. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville PA 17507), construction blasting in South Annville Township, **Lebanon County**, with an expiration date of June 12, 2005. Permit issued: May 19, 2004.

36044042. Abel Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting for Newport Square in Warwick Township, **Lancaster County**, with an expiration date of December 13, 2004. Permit issued: May 19, 2004.

48044019. Rick Rufe Drilling & Blasting (R. R. 6 Box 63608, Saylorburg, PA 18353) and **Austin Powder Co.** (P. O. Box 289, Northampton, PA 18067), construction blasting in Bethlehem Township, **Northampton County**, with an expiration date of June 20, 2005. Permit issued: May 19, 2004.

06044022. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Indian Run Housing in Amity Township, **Berks County**, with an expiration date of June 12, 2005. Permit issued: May 19, 2004.

21044032. John W. Gleim, Jr., Inc. (625 Hamilton Street, Carlisle, PA 17013), construction blasting at Peninsula Development, Silver Spring Township, **Cumberland County**, with an expiration date of July 30, 2004. Permit issued: May 20, 2004.

46044017. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting for Monroe Court in Skippack Township, **Montgomery County**, with an expiration date of June 13, 2005. Permit issued: May 20, 2004.

52044007. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting at White Tail Ridge in Greene Township, **Pike County**, with an expiration date of May 10, 2005. Permit issued: May 20, 2004.

48044020. Austin Powder Company (P. O. Box 289, Northampton, PA 18067), construction blasting for Horwith Trucking in the Borough of Northampton,

Northampton County, with an expiration date of June 20, 2005. Permit issued: May 20, 2004.

67044026. Abel Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting at Allyson's Crossing in Windsor Township, **York County**, with an expiration date of December 31, 2004. Permit issued: May 21, 2004.

09044013. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting for Hilltown Reserves in Hilltown Township, **Bucks County**, with an expiration date of June 25, 2005. Permit issued: May 21, 2004.

34044001. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Gingerfield in Fermanagh Township, **Juniata County**, with an expiration date of May 31, 2005. Permit issued: May 21, 2005.

35044007. National Earth Services (245 Butler Avenue, Lancaster, PA 17601), and **D C Guelich Explosives Co.**, (P. O. Box 29, Bloomsburg, PA 17815), excavation blasting for Pad 12 at Alliance Landfill in Taylor Borough and Ransom Township, **Lackawanna County**, with an expiration date of November 30, 2004. Permit issued: May 21, 2004.

15044020. N. Abbonizio Contractors, Inc. (1250 Conshohocken Road, Conshohocken, PA 19428) and **Bernard J. Hasara**, (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting at Phase 1B/Phase 3A Sanitary Sewers in Sadsbury Township, **Chester County**, with an expiration date of December 12, 2004. Permit issued: May 21, 2004.

09044012. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting at Hilltown Ridge in Hilltown Township, **Bucks County**, with an expiration date of June 25, 2005. Permit issued: May 21, 2004.

48044021. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting at Morgan Hill Phase III in Williams Township, **Northampton County**, with an expiration date of June 25, 2005. Permit issued: May 21, 2004.

21044033. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting at Oak Ridge Estates in Dickinson Township, **Cumberland County**, with an expiration date of May 31, 2005. Permit issued: May 21, 2004.

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

61044001. Francis J. Palo, Inc. (P. O. Box 368, 245 South Avenue, Clarion, PA 16214). Blasting activity permit to remove stone from a borrow pit in Cherry Tree Township, **Venango County**, for 60 days. Application received: May 19, 2004. Application issued: May 19, 2004.

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

56044004. Geophysical Applications (113 East Chemung Place, Elmira, New York 14904). Permit issued for seismic exploration project in Jenner and Lincoln Townships, **Somerset County**. Duration of blasting is approximately 90 days. Permit issued May 18, 2004.

56044002. Waste Management (843 Miller Picking Road, Davidsville, PA 15928). Permit issued for landfill expansion in Conemaugh Township, **Somerset County**. Duration of blasting is approximately 2 years. Permit issued May 18, 2004.

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

02044003. Mashuda Corporation (21101 Route 19, Cranberry Township, PA 16066). Blasting activity permit for construction at Findley Township, **Allegheny County**, with an expected duration of 365 days. Permit issued: May 20, 2004.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users 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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users 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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E13-066A. Gnaden Huetten Memorial Hospital, 211 North 12th Street, Lehigh, PA 18235. Lehigh Borough, **Carbon County**, Army Corps of Engineers Philadelphia District, Subbasin 2B.

To amend Permit No. E13-066 to authorize the construction and maintenance of a 240-foot long stream enclosure extension consisting of twin 42-inch diameter smooth-lined corrugated polyethylene pipes in a tributary to Mahoning Creek, a perennial stream classified as a cold water fishery; to authorize the placement of fill in 0.08 acre of PEM wetlands adjacent to the tributary; and to authorize the construction and maintenance of a temporary road crossing consisting of a 36-inch diameter smooth-lined corrugated polyethylene pipe across the tributary. The purpose of the project is to expand the Gnaden Huetten Memorial Hospital's parking facilities.

The project proposes to directly affect 240 linear foot of stream and 0.08 acre of wetland for the enclosure and parking lot, and temporarily affect 30 linear foot of stream and 0.01 acre of wetland for a temporary road crossing. Wetland creation of 0.12 acre of PEM wetlands is proposed to compensate for wetland and stream impacts.

Permit No. E13-066 was issued to construct and maintain 110 feet of twin 42-inch diameter pipes and to place and maintain fill in 0.1 acre of wetlands.

The project is located approximately 1.0 mile west of the intersection of SR 0209 and SR 0902 (Lehigh PA Quadrangle N: 15.3 inches; W: 14.2 inches) in Lehigh Borough, Carbon County.

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

E36-777: High Industries, Inc., 1853 William Penn Way, Lancaster, PA 17605 in East Cocalico Township, **Lancaster County**, ACOE Baltimore District.

To fill 0.07 acre of Paulstrine Emergent Wetland and to maintain two road crossings consisting of 36-inch HDPE within an UNT to Stony Run (WWF) for the purpose of

expanding a storage yard located at a point approximately 400 feet northwest of the intersection of Kurtz Road and SR 272 (Terre Hill, PA Quadrangle N: 17.1 inches; W: 16.5 inches) in East Cocalico Township, Lancaster County. The permittee is required to provide a minimum of 0.07 acre of replacement wetlands.

E07-373: Cindy D. Bigelow, R. D. 1 Box 188, Williamsburg, PA 16693 in Catherine Township, **Blair County**, ACOE Baltimore District.

To maintain approximately 10 cubic yards of fill along the left floodway of Roaring Run (WWF) for the purpose of constructing a 40-foot by 100-foot equipment shed, located at a point (Spruce Creek, PA Quadrangle N: 4.75 inches; W: 10.3 inches) along Etna Furnace Road in Catherine Township, Blair County.

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

E17-398. International Custom Products, Inc (ICP), Okalahoma-Salem Road, Dubois, PA 15801. Sanitary Sewer Line Installation in Sandy Township, **Clearfield County**, ACOE Baltimore District (Luthersburg, PA Quadrangle N: 19.25 inches; W: 15.50 inches).

The applicant proposes to construct and maintain an estimated 4,800 feet of 3 inch diameter polyvinyl chloride sanitary sewer line. The sanitary sewer line would extend from the International Custom Products planned facility expansion site to an existing City of Dubois sanitary sewer manhole located on Hillcrest Avenue, approximately 275 feet West of Sixth Street. Placing the sewer line will affect 1426 linear feet of wetland due to boring of the sewer line below the wetlands, 0.21 acre of wetland for manhole connection, and 151 linear feet of stream by crossing an unnamed intermittent tributary of Reisinger Run. No mitigation is proposed because there are no permanent wetland or stream impacts projected.

SPECIAL NOTICES

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for UNT 09655 to Bow Creek in Dauphin County

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

The Department of Environmental Protection (Department) will accept comments on the proposed TMDL developed for an unnamed tributary (UNT 09655) to Bow Creek in Dauphin County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. Pennsylvania's 1996 and 1998 section 303(d) lists included stream segments in the watershed. The listings of these segments were due to use impairments caused by nutrients.

There currently are no State or Federal in-stream numerical water quality criteria for nutrients. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL sets allowable loadings of phosphorus UNT 09655 Watershed. Total phosphorus was chosen as the TMDL endpoint for nutrient impairments due to it being the limiting nutrient in the watershed. The total phosphorus loading was allocated among all land use categories present in the watershed. Data used in establishing this TMDL were generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The following table shows the estimated current total phosphorus loading for the UNT 09655 watershed. Overall load reductions necessary in order to meet the TMDL are also identified.

Summary of TMDL-Based Load Reductions in the UNT 09655 Watershed

<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/yr)</i>	<i>Reduction</i>
UNT 09655	Total Phosphorus	106.02	81.27	23%

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website at www.dep.state.pa.us (PA Keyword: TMDL). To request a copy of this TMDL, contact: Travis Stoe at Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467 or tstoe@state.pa.us.

The Department will consider all comments in developing the final TMDL, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be received close of business on July 6, 2004. A public meeting to discuss the technical merits of the TMDL will be held on June 24, 2004, at 7 p.m. in the East Hanover Township building in Grantville, PA.

Request for Comment and Notice of Public Meeting for Proposed TMDLs for Buffalo Creek in Union County

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

The Department will accept comments on the proposed TMDL developed for Buffalo Creek in Union County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. Pennsylvania's 1996, 1998 and 2004 section 303(d) lists included Buffalo Creek as impaired by low pH due to acid deposition.

Pennsylvania's water quality criteria, as described in 25 Pa. Code § 93.7, require the pH to be between 6.0 and 9.0. This TMDL will address pH by analyzing the balance between acidity and alkalinity. A two-step approach is used for the analysis of atmospheric deposition impaired waterbodies. The first step is a statistical method for determining the allowable instream concentration at the point of interest (sample location) necessary to meet water quality standards. The second step is a mass balance of the loads as they pass through the watershed.

The following table shows the estimated current acidity loading for the sample locations within the watershed. Overall load reductions necessary in order to meet the TMDLs are also identified:

Summary of TMDL-Based Load Reductions in the Buffalo Creek Watershed

<i>Sample Location</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/day)</i>	<i>% Reduction</i>
River Mile Index 27.0	Acidity	111.4	3.7	97
River Mile Index 25.5	Acidity	174.9	14.8	78
River Mile Index 22.5	Acidity	342.5	35.8	80
River Mile Index 21.5	Acidity	273.9	46.7	0
River Mile Index 20.5	Acidity	112.1	85.5	0

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's web site at www.dep.state.pa.us (PA Keyword: TMDL). To request a copy of this TMDL or to submit written comments, contact Jeff Gocek (Department of Environmental Protection, Water Management Program, Permit Section, 208 West Third Street, Suite 101, Williamsport, PA 17701).

The Department will consider all comments in developing the final TMDL, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be received close of business on July 6, 2004. A public meeting to discuss the technical merits of the TMDL will be held June 7, 2004, at 7 p.m. at the PSU Extension Office in Mifflinburg, PA.

**Request for Comment and Notice of Public Meeting for the TMDLs for
Canonsburg Lake in Washington County**

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

The Department will accept comments on the proposed TMDL developed for the Canonsburg Lake in Washington County. The TMDL was established in accordance with the requirements of Section 303(d) of the Clean Water Act. Canonsburg Lake is included on Pennsylvania's 1996 and 1998 Section 303(d) lists.

There currently are no State or Federal numerical water quality criteria for nutrients. Therefore, the Department utilized a chlorophyll-a endpoint to address the lake eutrophication problem. The proposed TMDL sets allowable loadings of phosphorus to the lake such that the chlorophyll-a endpoint is met in the lake. Phosphorus was chosen as the TMDL endpoint for nutrient impairments due to it being the limiting nutrient in the lake. The phosphorus loading were allocated among all land use categories present in the watershed. Data used in establishing these TMDLs were generated using a watershed loading model (AVGWLF) designed by the Pennsylvania State University and a lake model (BATHTUB) developed by the United States Army Corps of Engineers.

The following table shows the estimated current phosphorus loading to Canonsburg Lake. Overall load reductions necessary in order to meet the TMDLs are also identified.

Summary of TMDL-Based Load Reductions in the [Watershed Name] Watershed

<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (kgs/yr)</i>	<i>TMDL (lbs/yr)</i>	<i>% Reduction</i>
Canonsburg Lake	Phosphorus	7,424	3,884	48

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website at www.dep.state.pa.us (PA Keyword: TMDL). To request a copy of this TMDL, contact: Lee McDonnell at P. O. Box 8467, Harrisburg, PA 17105-8467.

The Department will consider all comments in developing the final TMDL, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be received close of business on July 6, 2004. A public meeting to discuss the technical merits of the TMDL will be held on June 22, 2004, at 6:30 p.m. at the Peter's Township Municipal Building.

**Request for Comment and Notice of Public Meeting for the Proposed Total TMDLs for
Lake Jean in Luzerne and Sullivan Counties**

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

The Department of Environmental Protection will accept comments on the proposed TMDL developed for the Lake Jean in Sullivan and Luzerne Counties. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. Pennsylvania's 1996, 1998 and 2004 section 303(d) lists included Lake Jean as impaired by low pH due to acid deposition.

Pennsylvania's water quality criteria, as described in 25 Pa. Code § 93.7, require the pH to be between 6.0 and 9.0. This TMDL will address pH by analyzing the balance between acidity and alkalinity. A two-step approach is used for the analysis of atmospheric deposition impaired waterbodies. The first step is a statistical method for determining the allowable instream concentration at the point of interest (sample location) necessary to meet water quality standards. The second step is a mass balance of the loads as they pass through the watershed.

The following table shows the estimated current acidity loading for the sample locations within the watershed. Overall load reductions necessary in order to meet the TMDLs are also identified:

Summary of TMDL-Based Load Reductions in the Lake Jean Watershed

<i>Sample Location</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/day)</i>	<i>% Reduction</i>
Ganoga Lake Tributary	Acidity	140.6	4.1	97
Beaver Dam Tributary	Acidity	33.5	4.3	87
Direct Drainage to Lake	Acidity	184.0	10.9	94
Lake Outlet	Acidity	194.0	34.2	0

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website at www.dep.state.pa.us (PA Keyword: TMDL). To request a copy of this TMDL or to submit written comments, contact Jeff Gock (Department of Environmental Protection, Water Management Program, Permit Section, 208 West Third Street, Suite 101, Williamsport, PA 17701).

The Department will consider all comments in developing the final TMDL, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be postmarked by July 5, 2004. A public meeting to discuss the technical merits of the TMDL will be held on June 24, 2004, at 7 p.m. at the Ricketts Glen State Park office.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) for the Little Cedar Creek Watershed in Lehigh County

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

The Department of Environmental Protection will accept comments on the proposed TMDL developed for the Little Cedar Creek in Lehigh County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. Pennsylvania's 1996 and 1998 section 303(d) lists included stream segments in the watershed. The listings of these segments were due to use impairments caused by urban runoff and storm sewers.

There currently are no State or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL sets allowable loadings of sediment in the Little Cedar Creek Watershed. The sediment loading was allocated among all land use categories present in the watershed. Data used in establishing this TMDL was generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The following table shows the estimated current sediment loading within the watershed. Overall load reductions necessary in order to meet the TMDL is also identified.

Summary of TMDL-Based Load Reductions in the Little Cedar Creek Watershed

<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/yr)</i>	<i>% Reduction</i>
Little Cedar Creek	Sediment	857	335	63

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's web site at www.dep.state.pa.us (PA Keyword: TMDL). To request a copy of this TMDL, contact: Raymond Kempa (570) 826-2310 at the PA DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA, 18711-0790 or email rkempa@state.pa.us.

The Department will consider all comments in developing the final TMDL, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be received close of business on July 6, 2004. A public meeting to discuss the technical merits of the TMDL will be held on June 22, 2004, at 7 p.m. in the Wildland Conservancy Environmental Education Center in Emmaus, PA.

Request for Comment and Notice of Public Meeting for the Proposed TMDLs for the Watershed of Stonycreek River (Segment 5112) in Somerset County

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

The Department of Environmental Protection will accept comments on the proposed TMDL developed for the Stonycreek River (Segment ID 5112) Watershed in Somerset County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. Pennsylvania's 1996 and 1998 section 303(d) lists included stream segments in the watershed. The listings of these segments were due to use impairments caused by suspended solids and nutrients.

There currently are no State or Federal in-stream numerical water quality criteria for nutrients and sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL sets allowable loadings of phosphorus and sediment in the Stonycreek River Watershed. Phosphorus was chosen as the TMDL endpoint for nutrient impairments due to it's being the limiting nutrient in the watershed. The phosphorous and sediment loading(s) were allocated among all land use categories present in the watershed. Data used in establishing these TMDLs were generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The following table shows the estimated current phosphorus and sediment loadings of the watershed that surrounds the targeted portion of Stonycreek River, that is, from the origin of its headwaters to its union with Reitz Creek. Overall load reductions necessary in order to meet the TMDLs are also identified.

Summary of TMDL-Based Load Reductions in the Stonycreek River Watershed

<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/yr)</i>	<i>% Reduction</i>
18-E (Seg. 5512)	Phosphorus	1208.26	809.58	40
18-E (Seg. 5512)	Sediment	747400	472256	43

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website at www.dep.state.pa.us (PA Keyword: TMDL). To request a copy of this TMDL, contact: Joe Boylan at joboylan@state.pa.us, or by mail at 400 Waterfront Drive; Pittsburgh, PA 15222.

The Department will consider all comments in developing the final TMDL, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be received close of business on July 6, 2004. A public meeting to discuss the technical merits of the TMDL will be held on June 23, 2004 at 6:30 p.m. at the Somerset Township Municipal Building.

[Pa.B. Doc. No. 04-976. Filed for public inspection June 4, 2004, 9:00 a.m.]

Laboratory Accreditation and Advisory Committee; Cancellation of Meeting

The Laboratory Accreditation Advisory Committee (Committee) meeting scheduled for Tuesday, June 8, 2004, has been cancelled. The next meeting of the committee is scheduled for Thursday, August 12, 2004.

Questions concerning this meeting can be directed to Richard Sheibley at (717) 705-2425 or rsheibley@state.pa.us. The agenda and meeting materials for the August 12, 2004, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us> (DEP Keyword: Participate).

Persons with a disability who require accommodations to attend the August 12, 2004, meeting should contact the Department at the above telephone number or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-977. Filed for public inspection June 4, 2004, 9:00 a.m.]

Public Notice of Availability of General NPDES Permit for Discharges Associated with Industrial Activities (PAG-03)

The Department of Environmental Protection (Department) by this notice announces the availability of the renewed National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges Associated with Industrial Activities (PAG-03). This General Permit is issued under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.101) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20). The renewed General Permit will be effective beginning June 5, 2004, and will expire 5 years from the date of its issuance.

The final General Permit package, including the comment and response document, is available on the Department's website at www.dep.state.pa.us (DEP Keyword: "DEP NPDES Permits;" choose General Permits).

The General Permit package is also available upon request by contacting the Department of Environmental

Protection, Bureau of Watershed Management, Division of Water Use Planning, Rachel Carson State Office Building, P. O. Box 8465, 10th Floor, Harrisburg, PA 17105-8465, (717) 772-4048, wgast@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-978. Filed for public inspection June 4, 2004, 9:00 a.m.]

Small Business Advantage Program

The Department of Environmental Protection (Department) announces the availability of a new program, the Small Business Advantage Program (Program), which provides up to 50% matching grants, up to a maximum of \$7,500, to enable a small business in this Commonwealth to adopt or acquire energy efficient or pollution prevention equipment or processes. Well-designed energy efficient or pollution prevention projects can help small businesses cut costs and reduce the risk of potential regulatory problems, while simultaneously protecting the environment. The Department will begin accepting applications for this program on July 1, 2004. The Program is authorized by section 204(h) of the Small Business and Household Pollution Prevention Program Act (35 P. S. § 6029.204(h)).

Program Guidelines

Eligible Applicants

An eligible applicant must be a small business owner whose business or facility is located within this Commonwealth. Small businesses in this Commonwealth are eligible, including, but not limited to, manufacturers, retailers, service providers, mining businesses and agricultural concerns. The project to which the grant will apply must be located within the applicant's Commonwealth facility. An eligible applicant must be a for-profit business enterprise that is a corporation, limited liability company, partnership, sole proprietorship or other legal business entity that has no more than 100 full-time or full-time equivalent employees and is a separate legal business entity at the time of submission of the application.

Eligible Projects

Program financing is available to eligible small businesses that install energy efficient or pollution prevention equipment or adopt processes that reduce energy con-

sumption, reduce or reuse raw materials on-site or reduce the production of waste. Proposed projects not related to the manufacturing process or to the service provided by the applicant's facility are not eligible. To review some examples of the types of projects that would be eligible, refer to the Small Business Advantage website at <http://www.dep.state.pa.us> (DEP Keyword: "SBAdvantage")

Projects do not require a pollution prevention or energy efficiency audit to be eligible. However, the Department strongly encourages applicants to undertake projects developed through a pollution prevention or energy efficiency audit performed by a professional consultant, the Department's Pollution Prevention staff, PENNTAP, the Small Business Development Centers or through the Department's Site Assessment Grant Program. Applicants should include any audit recommendations in the project description section of the application.

For questions or concerns regarding the eligibility of your project, please contact Dave Barnes, Office of Energy and Technology Development, Small Business Ombudsman's Office, at (717) 783-8411 or at epadventuregrant@state.pa.us before submitting an application.

Grant Amounts and Limitations

The maximum amount of this grant is \$7,500, or 50% of total eligible project costs, whichever is less. Applicants may use their own funds or funds borrowed or granted through other Commonwealth programs, Federal programs or private lenders to finance the 50% match requirement.

A small business may submit more than one application within a 12-month period; however, it may not receive more than \$7,500 from the program in any 12-month period.

The Department charges no application fee.

Restrictions

1. No Delinquencies

Neither the small business nor its principals may be delinquent on or in default of any taxes, loans or other obligations to the Commonwealth. For purposes of this program, a "principal" is a person who possesses an ownership interest of at least 20 percent in the small business.

2. Conflicts of Interest

The small business and its principals and managerial officers must disclose any potential conflicts of interest with any Commonwealth of Pennsylvania officials or employees.

3. Ineligible Activities

Projects and project costs are not eligible if they relate to any of the following activities:

- Equipment and processes that focus solely on pollution control, such as scrubbers, dust collectors or filters;
- Equipment or processes that have already been installed or used before the date of application;
- Routine maintenance or repair of existing equipment or processes; and
- Labor costs of the applicant's own employees, even if such costs are incurred in the acquisition and installation of the project.

4. Project Implementation

The applicant may begin to incur project costs after the application is submitted to the Department; however,

doing so is at the risk of the applicant. The Department may at its discretion reimburse costs incurred from the date of grant application submittal through the grant agreement execution date. The Department is not obligated to reimburse eligible project costs until a grant agreement is fully executed. The project must be completed not later than 180 days after a grant agreement is fully executed.

The Department may revoke a project approval upon the request of the applicant or if the applicant makes a material misrepresentation in the project application.

The Department may require the applicant to repay the grant if:

- (i) the grant is used for any purpose other than the approved project;
- (ii) the applicant makes a material misrepresentation in the project application; or
- (iii) the applicant fails to comply with the follow-up reporting requirement.

Step-by-Step-Guide to Applying

1. Identify the Project. Identify one or more pollution prevention (P2) and/or energy efficiency (E2) opportunities that will enhance your company's efficiency and productivity and develop a plan for a project to implement those opportunities. Ascertain the cost of the proposed project and determine the cost savings and potential environmental benefits that should result from the project's implementation.

2. Application. Complete the Advantage Grant Application, which is available electronically and can be downloaded at <http://www.dep.state.pa.us> (DEP Keyword: "SBAdvantage") or by contacting the Department at (717) 783-8411. The applicant's original signature is required in Section IX of the application. Submit the completed application to:

Department of Environmental Protection
Office of Energy and Technology Development
ATTN: Small Business Advantage
P. O. Box 8772
Harrisburg, PA 17105-8772

3. Application Criteria. The Department will review the application and proposed project using the criteria below. The Department will notify the applicant in writing of its determination within 60 days of receipt of the application.

- The applicable information is complete and legible. An original signature is required on the application form.
- The project is technically feasible, and the applicant has demonstrated its feasibility in the application.
- The applicant is not in violation of any Commonwealth, Federal or local environmental law, regulation, permit or other legal requirement relating to environmental protection. The Department, at its sole discretion, may waive this requirement if it determines that the proposed project is likely to bring the applicant into compliance with any such legal requirements.
- The project scope/benefits summary clearly describes the project to be implemented.
- The application is accompanied by a good faith estimate of the proposed energy savings or pollution prevention benefits of the project.

- The application includes an estimate of the yearly cost savings and simple payback in years that should result from implementation of the project.

- The application includes sufficient background and baseline information/data to make the monitoring, measuring and reporting of project results possible (such as, cost savings, simple payback and environmental benefits).

4. *Project Selection.* Project selection is made at the discretion of the Department, and is further subject to the availability of funding.

5. *Project Implementation.* The applicant may begin to incur project costs after the application is submitted to the Department; however, doing so is at the risk of the applicant. The Department may at its discretion reimburse costs incurred from the date of grant application submittal through the grant agreement execution date. The Department is not obligated to reimburse eligible project costs until a grant agreement is fully executed. The project must be completed not later than 180 days after a grant agreement is fully executed.

6. *Project Completion Report.* Upon completion of the project, the applicant must submit a report containing the following information:

- The project completion date;
- A summary of the work completed;
- A report of the project's total cost, including an itemization of expenses, including copies of the original invoices for equipment or services to implement the project; and
- A summary of the original application's estimated project information included in sections VII. POLLUTION PREVENTION AND ENERGY CONSERVATION QUANTIFICATIONS and VIII. RESULTS-SIMPLE PAYBACK, including any new estimates of savings or environmental benefits.

7. *Payment.* The grantee will be reimbursed for up to 50% of its total eligible project costs up to \$7,500 after the grantee has implemented the project and a grant agreement is fully executed. The grant is paid in the form of a check that is mailed to the applicant within 45 days of the Department's approval of the project completion report, which must include itemized invoices for costs incurred for the project.

8. *The One-Year Follow-up Report.* The grantee must submit a follow-up report 12 months after the project completion date. The completed report must detail the environmental benefits and financial costs and savings of the project. The follow-up report is used to enable the Department to assess the program's effectiveness.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-979. Filed for public inspection June 4, 2004, 9:00 a.m.]

State Board for Certification of Sewage Enforcement Officers; Cancellation of Meeting

The State Board for Certification of Sewage Enforcement Officers (Board) meeting scheduled for Friday, June 18, 2004, at 10 a.m. has been canceled. The next meeting is scheduled for September 17, 2004, in the 10th Floor Conference Room of the Rachel Carson State Office Building, 400 Market St., Harrisburg, PA.

Questions concerning the meeting can be directed to Renee Nease at (717) 705-8024 or Mnease@state.pa.us. The agenda and meeting materials for the September 17, 2004, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us> (DEP Keyword: Participate)

Persons with a disability who require accommodations to attend the September 17, 2004, meeting should contact the Department at (717) 787-6045 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-980. Filed for public inspection June 4, 2004, 9:00 a.m.]

State Water Plan; Water Resources Regional Committee Meetings Schedule for June 2004

The following is a list of June 2004 meetings of the six Water Resources Regional Committees (regional Committees) associated with the Department of Environmental Protection (Department). The six regional Committees listed were created under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of a new State Water Plan (plan) for the Commonwealth. The purpose of the regional Committees is to develop the regional component of the overall plan, and to provide recommendations to the Statewide Water Resources Committee, which is charged under 27 Pa.C.S. Chapter 31 to develop the plan.

The schedules and an agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department's website at www.dep.state.pa.us (DEP Keyword: Participate). The June 2004 meeting dates of the six Committees are as follows:

Lower Susquehanna Water Resources Regional Committee

The June meeting of the Lower Susquehanna Water Resources Regional Committee will be held at 9:30 a.m. at the following location:

June 7, 2004 PA DEP Southcentral Regional Office
909 Elmerton Ave.
Harrisburg, PA 17110

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

Great Lakes Water Resources Regional Committee

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

June 8, 2004 Erie Conservation District
1927 Wager Road
Erie, PA 16509

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

Delaware Water Resources Regional Committee

The June meeting of the Delaware Water Resources Regional committee will be held at 9:30 a.m. at the following location:

June 11, 2004 Green Valleys Association
 Welkinweir
 1368 Prizer Road
 Pottstown, PA 19465

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

Ohio Water Resources Regional Committee

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

June 14, 2004 DEP Knox District Mining Office
 White Memorial Building
 P. O. Box 669
 Knox, PA 16232-0669

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

Upper/Middle Susquehanna Water Resources Regional Committee

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

June 17, 2004 DEP Northcentral Regional Office
 208 W. Third Street, Suite 101
 Williamsport, PA 17701-6448

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

Potomac Water Resources Regional Committee

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

June 18, 2004 Bedford Springs Golf Course
 Business Rt. 220, South
 P. O. Box 108
 Bedford, PA 15522

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

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

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-981. Filed for public inspection June 4, 2004, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

State Surplus Property

The Department of General Services is selling a Marlette 12-foot by 60-foot mobile home obtained by the Department of Transportation due to a highway expansion project. The mobile home is at the Yetter Mobile Home Park, Lot 15. The mobile home must be removed from this site by July 31, 2004. The open house is May 7, 2004, from 10 a.m. to 12 p.m. The bid opening will be June 18, 2004. For more information, call (717) 787-4085.

DONALD T. CUNNINGHAM, Jr.,
Secretary

[Pa.B. Doc. No. 04-982. Filed for public inspection June 4, 2004, 9:00 a.m.]

DEPARTMENT OF HEALTH

Availability of Draft Maternal and Child Health Services Block Grant Application

The Draft Maternal and Child Health Services Block Grant Application for Federal Fiscal Year 2005, under 42 U.S.C.A. § 705 is available for review and comment on the Department of Health's (Department) website. This application is the Commonwealth's request to the United States Department of Health and Human Services for block grant funding.

The block grant application describing proposed services, program goals and objectives and activities can be obtained at <http://www.dsf.health.state.pa.us/health/cwp/view.asp?a=179&Q=237569>

The draft block grant application can also be obtained by contacting the Department of Health, Bureau of Family Health at (717) 787-7192. Persons with a disability who require an alternative format of the application (such as, large print, audio tape or Braille) should also contact the Bureau of Family Health at the above telephone number [V/TT: (717) 783-6514 or Pennsylvania AT&T Relay Service at (800) 654-5584 [TT]].

Comments may be submitted to Frank C. Maisano, Acting Director, Bureau of Family Health, Room 733 Health & Welfare Building, Department of Health, P. O. Box 90, Harrisburg, PA, 17108. Comments are due by July 6, 2004. Persons with a disability who desire to comment in alternative format should notify the Bureau of Family Health at (717) 787-7192 [TDD: (717) 783-6514].

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

[Pa.B. Doc. No. 04-983. Filed for public inspection June 4, 2004, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

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

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-215	Insurance Department Standards for Safeguarding Customer Information	5/21/04

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-984. Filed for public inspection June 4, 2004, 9:00 a.m.]

INSURANCE DEPARTMENT

Coal Mine Compensation Rating Bureau; Workers Compensation Federal Occupational Disease Fil- ing

On May 17, 2004, the Insurance Department (Department) received from the Coal Mine Compensation Rating Bureau (CMCRB) a filing to amend the current CMCRB manual. This filing is made in accordance with section 705 of the act of July 2, 1993 (P. L. 190, No. 44). The CMCRB requests this change to be effective July 1, 2004, on a new and renewal basis.

The current CMCRB manual excludes partners of a partnership, individual proprietors and certain executive officers, which is consistent with the Pennsylvania Workers Compensation Act. The amendments will provide Federal Black Lung coverage to those individuals in order to ensure conformance with the Federal Coal Mine Health and Safety Act, as amended.

The filing is available for review on the Department's website at www.ins.state.pa.us. To access the filing, under "Quick Links" choose "Rate filings published in the PA Bulletin."

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

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harris-

burg, PA 17120, kcreighton@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-985. Filed for public inspection June 4, 2004, 9:00 a.m.]

Hawk Oil Co., Inc.; Prehearing

Appeal of Hawk Oil Co., Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 03-081(F); Doc. No. UT04-05-021

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on June 30, 2004, at 10 a.m. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102, on or before June 23, 2004. Answers to petitions to intervene, if any, shall be filed on or before June 28, 2004.

A date for a hearing shall be determined, if necessary, at the prehearing/settlement telephone conference.

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 Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-986. Filed for public inspection June 4, 2004, 9:00 a.m.]

HUB Tire Company; Pennsylvania Compensation Rating Bureau; Hearing

Appeal of HUB Tire Company; Pennsylvania Compensation Rating Bureau; Doc. No. CL04-05-024

Under section 654 of The Insurance Company Law of 1921 (40 P. S. § 814), notice is hereby given that the previously captioned appellant has requested a hearing regarding premium distribution.

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 June 29, 2004, at 2 p.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before May 28, 2004. A hearing shall occur on July 13, 2004, at 1:30 p.m. in Room 200, Administrative Hearings

Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

On or before June 15, 2004, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 23, 2004, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 28, 2004.

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 Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-987. Filed for public inspection June 4, 2004, 9:00 a.m.]

Kathleen M. Weed; Hearing

Appeal of Kathleen M. Weed under 40 P. S. §§ 991.2101—991.2193; Doc. No. HC04-01-014

A hearing is scheduled in the previously referenced appeal for July 16, 2004, at 10 a.m. in the Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA.

On or before June 25, 2004, each party shall file with the Administrative Hearings Office a prehearing statement which must contain: (1) names and address of witnesses along with the specialties of experts, if any, to be called; (2) a list of documents to be used at the hearing; (3) special evidentiary or other legal issues; and (4) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to the 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.

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 Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-988. Filed for public inspection June 4, 2004, 9:00 a.m.]

Renee Bender, D.O. and Scott Epstein, D.O.; Prehearing

Appeal of Renee Bender, D.O. and Scott Epstein, D.O. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM04-05-022

On or before June 16, 2004, the appellants shall file a concise statement setting forth the factual and/or legal basis for their disagreement with MCARE's January 26, 2004, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for July 7, 2004, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 2, 2004. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 28, 2004, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before July 2, 2004.

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 Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-989. Filed for public inspection June 4, 2004, 9:00 a.m.]

The Travelers Insurance Company; Rate Increase Filing for Several Long Term Care Policies; Rate Filing

The Travelers Insurance Company is requesting approval to increase the premium for six long term care policy forms. The company is seeking a 39% increase on 97 Commonwealth residents with policy form H-LTC3J-2. The company is seeking a 20% increase on 55 Commonwealth residents with policy form H-LTC4JFQ15. The company is seeking a 39% increase on 194 Commonwealth residents with policy form H-LTC3JFO26. The company is seeking a 16% increase on 649 Commonwealth residents with policy form H-LTC3JQ3. The company is seeking a 39% increase on 973 Commonwealth residents with policy form H-LTC2J-5. The company is

seeking a 20% increase on 1,213 Commonwealth residents with policy form H-LTC4JQ7.

Unless formal administrative action is taken prior to August 19, 2004, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Scroll down the home page and choose "Consumer Information," "General Information" and "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-990. Filed for public inspection June 4, 2004, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Luzerne County, Wine & Spirits Shoppe #4031, 46 East Broad Street, Hazleton, PA 18201.

Lease Expiration Date: November 30, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,500 to 4,500 net useable square feet of new or existing retail commercial space within 1/2 mile of the intersection of State Route 924 and West Broad Street, Hazleton.

Proposals due: June 25, 2004, 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. 04-991. Filed for public inspection June 4, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Generic Investigation Regarding Virtual NXX Codes; Doc. No. I-00020093

Public Meeting held
March 4, 2004

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

Generic Investigation Regarding Virtual NXX Codes; Doc. No. I-00020093

Order

By the Commission:

Before us is an Investigation Report submitted by Presiding Administrative Law Judge Debra Paist regarding the issue of Virtual NXX Codes.¹ The use of Virtual NXX code arrangements is a relatively recent phenomenon that has impacted states across the country. The purpose of the Investigation Report was to gather information regarding the impact that this numbering practice may have on numbering conservation measures across the Commonwealth.

Background

Traditionally, customers are assigned telephone numbers based on their physical location. When a telephone company receives a group of telephone numbers (NXX codes) to operate, those numbers are associated with a particular switch residing in a rate center². Consequently, when the telephone company assigns a telephone number to its customer, it assigns the customer a telephone number associated with the particular switch serving the rate center where the customer is physically located. The purpose of this historical assignment procedure by telephone companies was to ensure the integrity of the rating structure so that calls between customers located in different rate centers may be properly billed by the telephone company as local flat rate, local measured rate or toll.

Virtual NXX codes allow a customer to obtain a telephone number in a local calling area in which the customer is not physically located. As far as the person calling the number is concerned, the call is a local call if the caller resides in the same area, but the party answering the call is actually located outside of the local calling area of the caller. This type of arrangement is referred to as "virtual" because the customer assigned to the telephone number has a virtual presence in the associated local calling area, not a physical one.³

In August 2002, during another proceeding⁴, the issue of Virtual NXX codes was raised. Recognizing that the use of Virtual NXX codes throughout the country was

¹ A NXX code represents the three digits following the area code in a 10-digit telephone, i.e., NPA-NXX-XXXX. A NXX code contains 10,000 individual telephone numbers. Traditionally, telecommunication carriers received fill NXX codes (or 10,000 individual numbers) in order to provide telecommunications service. In those areas in which thousand-block number pooling has been implemented, carriers receive telephone numbers in blocks of a thousand (or 1K portions of the fill NXX code).

² A rate center is a telephone-company designated geographic area which is assigned a vertical and horizontal coordinate within an area code for the determination of toll rates.

³ Virtual NXX codes are primarily used by competitive local exchange carriers (CLECs) to give their customers a wider local calling area.

⁴ *Level 3 Communications, L.L.C. v. Marianna Scenery Hill Telephone Co.* at Docket No. C-20028114.

highly controversial⁵ and might have an impact on numbering conservation efforts, we initiated a generic on-the-record proceeding to further investigate Virtual NXX codes. See Generic Investigation Regarding Virtual NXX Codes, I-00020093 (Order entered October 8, 2002) (Investigation Order). The Investigation Order was published on October 19, 2002, at 32 Pa.B. 5240.

As set forth in the Investigation Order, we directed all interested parties to file comments that addressed the following issues related to Virtual NXX codes:

1. How many carriers in the Commonwealth are actively utilizing Virtual NXX arrangements?
2. In what exchanges in Pennsylvania are Virtual NXX codes being utilized?
3. What are the benefits of these arrangements to customers and the telephone companies using them?
4. Are there any detriments to customers and telephone companies in using Virtual NXX code arrangements?
5. What is the impact, if any, that Virtual NXX code arrangements have on number conservation?
6. How many customers utilize this service to provide in-coming local calling from exchanges outside of the customers' local calling areas?
7. What is the impact that Virtual NXX code arrangements have on the deployment of local number portability in Pennsylvania?
8. What are the compensation arrangements among carriers for the use of Virtual NXX codes?
9. What are the billing and technical issues that are present when attempting to rate calls by their geographical starting and ending points; and
10. Any other issues that are deemed necessary and relevant to the investigation.

Further, we directed the Office of Administrative Law Judge (OALJ) to conduct the investigation and ordered that the investigation culminate with an Investigative Report regarding the use of Virtual NXX codes in the Commonwealth. The proceeding was assigned to ALJ Debra Paist. By Secretarial Letter dated October 8, 2002, the following three questions were added into the investigation proceeding:

1. Is the current use of Virtual NXX codes contrary to, or authorized by existing statutes or regulations?
2. If the current use of Virtual NXX codes is not contrary to, or authorized by existing statutes or regulations, what policy should the Commission establish?
3. How does the current utilization of Virtual NXX codes compare—legally and from a policy standpoint—to the utilization of foreign exchange service offered by the Incumbent Local Exchange Carriers?

⁵ Some telecommunications carriers, mostly incumbent local exchange carriers (ILECS), asserted that use of Virtual NXX codes amounts to the improper use of finite numbering resources and they noted that the Maine Public Utility Commission recently addressed the issue of Virtual NXX codes when it directed the North American Numbering Plan Administrator (NANPA) to reclaim the codes that Brooks Fiber used to provide "unauthorized interexchange service" as opposed to "facilities-based local exchange service." See *In Re: Investigation into Use of Central Office Codes (NXXs) by New England Fiber Communications, LLC d/b/a Brooks Fiber*, Docket No. 98-758, Maine PUC Order dated June 20, 2000. Additionally, it was noted that the Federal Communications Commission initiated a Notice of Proposed Rulemaking proceeding which requested comments on the use of Virtual NXX codes by telecommunications carriers. See *In the Matter of Developing a Unified Intercarrier Compensation Regime*, CC Docket 01-92, Notice of Proposed Rulemaking, 16 FCC Rcd 9610 (2001).

Discussion

On February 9, 2004, ALJ Paist issued the Investigation Report to us. The Investigation Report delineates the parties' positions and will be a valuable educational tool for the Commission as we continue to focus on the use of Virtual NXX Codes. As noted by the Investigation Report, Virtual NXX Codes are currently being utilized in the Commonwealth, yet no direction regarding their use has been provided by the Commission. The parties themselves sought such direction when addressing the Commission's questions such as the compensation arrangements and related technical and billing issues.

Conclusion

We wish to thank the OALJ and all parties who participated in this proceeding. The use of Virtual NXX Codes in Pennsylvania could have significant ramifications for the public as well as the telecommunications industry. Consequently, it is not only appropriate but necessary for the Commission to determine whether any regulatory or policy changes are warranted. *Therefore, It Is Ordered That:*

1. The Commission shall accept and make public the February 9, 2004 Investigation Report of Administrative Law Judge Paist regarding the use of Virtual NXX code arrangements in Pennsylvania.
2. The Law Bureau, in conjunction with the Bureau of Fixed Utility Services, shall submit a recommendation to the Commission indicating whether any regulatory or policy changes should be implemented regarding the use of Virtual NXX Codes.
3. A copy of this Order shall be served upon all parties who filed comments in the proceeding.
4. A copy of this Order shall be published in the *Pennsylvania Bulletin* and published on our website.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-992. Filed for public inspection June 4, 2004, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 28, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-00119919, Folder 2. Autocab, Inc. (625 East Orange Street, Lancaster, Lancaster County, PA 17602), a corporation of the Commonwealth—persons upon call or

demand, in the County of Lancaster. *Attorney:* Thomas T. Niesen, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108-9500.

A-00116741, Folder 3. Maiysha Johnson (976 South 3rd Street, City and County of Philadelphia, PA 19147)—persons in paratransit service, from points in the City and County of Philadelphia, and the Counties of Delaware and Montgomery, to all State and Federal Correctional Institutions, located in this Commonwealth, and return.

A-00120771. Harold and Anna Marie Groff (211 Miller Street, Strasburg, Lancaster County, PA 17579)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Lancaster, and from points in said county, to points in this Commonwealth, and return.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-00119993, Folder 3. Dave's Airport Shuttle, LLC (5915 Harbison Avenue, City and County of Philadelphia, PA 19135), a limited liability company of the Commonwealth—persons, in airport transfer service: (1) to and from points in the City and County of Philadelphia bounded on the south by Washington Avenue, on the north by Girard Avenue, on the west by the Schuylkill River and on the east by the Delaware River, to the Philadelphia International Airport, located in City and County of Philadelphia and the Township of Tinicum, Delaware County, and vice versa; (2) to and from points in the City and County of Philadelphia bounded on the west by Broad Street, on the south and east by Roosevelt Boulevard, and on the north and east by Cottman Avenue, to the Philadelphia International Airport located in the City and County of Philadelphia and the Township of Tinicum, Delaware County, and vice versa; and (3) to and from points in the Counties of Bucks and Montgomery, to the Philadelphia International Airport located in the City and County of Philadelphia and the Township of Tinicum, Delaware County, and vice versa; with right No. 3 subject to the following conditions: (a) that no right, power or privilege is granted to provide service to or from the Boroughs of Pottstown and Collegeville and the Townships of Upper Dublin, Whitemarsh, Montgomery, Upper Merion, Lower Merion, Plymouth, Upper Moreland, Lower Gwynedd, all located in Montgomery County; and (b) that no right, power or privilege is granted to provide service to or from Kenny's News Agency in the Borough of Doylestown, Holiday Inn in the Borough of New Hope, Holiday Inn in the Borough of Quakertown, Warrington Motor Lodge in the Township of Warrington, all located in Bucks County; which is to be transfer of all the rights authorized under the certificate issued at A-00109093 to Penn Express Transportation,

Inc., subject to the same limitations and conditions. *Attorney:* Richard T. Mulcahey, Jr., Two Penn Center, Suite 1400, 1500 John F. Kennedy Boulevard, Philadelphia, PA 19102-1890.

Application of the following for approval of the right to begin to operate as a broker for the transportation of persons as described under the application.

A-00120765. Medical Transport Systems, LLC (15 Ardrossan Avenue, West Chester, Chester County, PA 19382), a corporation of the Commonwealth—brokerage license—to arrange for the transportation of persons, between points in this Commonwealth.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-993. Filed for public inspection June 4, 2004, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated accounts.

The hearing will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

June 21, 2004 George K. Summy 1 p.m.
(Purchase of Nonintervening
Military Service)

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 04-994. Filed for public inspection June 4, 2004, 9:00 a.m.]