

# PENNSYLVANIA BULLETIN

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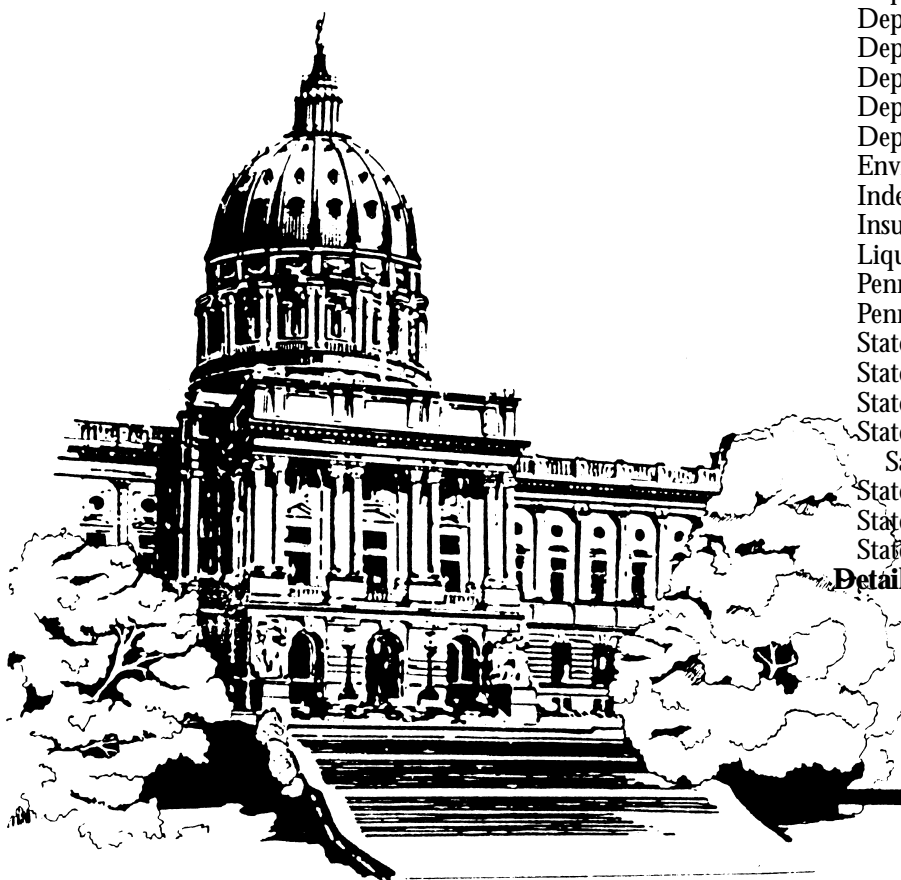
Saturday, May 6, 2006 • Harrisburg, PA

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State Horse Racing Commission  
State Real Estate Commission

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**No. 378, May 2006**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## ***Pennsylvania Bulletin***

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

## **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

*Bulletin* before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

## **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

## ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

## **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

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### Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2006.

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# THE GOVERNOR

## GOVERNOR'S OFFICE

### Proclamation of Disaster Emergency

April 21, 2006

*Whereas*, Gasoline refiners are moving away from using the oxygenate MTBE in the gasoline blend known as Reformulated Gasoline (RFG) and are using instead ethanol as an oxygenate; and

*Whereas*, ethanol cannot be stored and blended in the same manner as MTBE requiring gasoline terminals to install special storage and blending equipment, which was not required with the use of MTBE; and

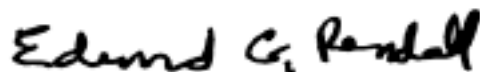
*Whereas*, the timing of this switch over from MTBE to ethanol and the accompanying infrastructure improvements, plus other unforeseen events such as refinery problems, have created a distribution bottleneck at many gasoline terminals in the southeast region of the Commonwealth, causing them to run out of fuel; and

*Whereas*, the Commonwealth has been contacted by members of the industry expressing the need for greater flexibility in truck driver regulations to accommodate truck drivers in the finding and transporting of fuel in the southeast region of the Commonwealth; and

*Whereas*, similar events that occurred during Hurricanes Katrina and Rita pertaining to fuel shortages or panic purchases caused serious impediments to the safety and welfare of the citizenry.

*Now Therefore*, Pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S. Section 7101 et seq.), I do hereby proclaim the existence of a disaster emergency in affected areas of the southeast region of the Commonwealth permitting the waiver of the requirements to comply with drivers' hours of service limitations in the interstate and intrastate delivery of gasoline to retail establishments.

*Given* under my hand and the Seal of the Governor, at the City of Harrisburg, on this twenty-first day of April in the Year of our Lord two thousand and six, and of the Commonwealth the two hundred and thirtieth.



Governor

[Pa.B. Doc. No. 06-747. Filed for public inspection May 5, 2006, 9:00 a.m.]

# THE GENERAL ASSEMBLY

## Recent Actions during the 2006 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2006 Regular Session.

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2006 GENERAL ACTS ENACTED—ACT 029</b>					
029	Apr 24	HB1820	PN3867	Immediately*	Persian Gulf Conflict Veterans' Benefit Act—enactment

\*denotes an effective date with exceptions

### Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

### Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

ROBERT W. ZECH, Jr.,  
*Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 06-748. Filed for public inspection May 5, 2006, 9:00 a.m.]

# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART II. INTERNAL OPERATING PROCEDURES [210 PA. CODE CH. 67]

#### Amendment to Commonwealth Court Internal Operating Procedures

##### Annex A

#### TITLE 210. APPELLATE PROCEDURE

### PART II. INTERNAL OPERATING PROCEDURES

#### CHAPTER 67. INTERNAL OPERATING PROCEDURES OF THE COMMONWEALTH COURT APPELLATE JURISDICTION

##### § 67.29. Decisions; Effect of Disagreements.

\* \* \* \* \*

(b) When there exists a vacancy or a recusal among the commissioned judges that results in an even number of commissioned judges voting on a circulating panel **opinion** or en banc opinion, [ **a tie** ] **and when the vote of [ the ] all participating** commissioned judges [ **shall result** ] results in a tie, the [ **filing of the** ] opinion shall be filed as circulated. [ **The opinion shall not be published unless there is a majority vote of the commissioned judges to publish.** ] The opinion shall contain a footnote **on the first page** indicating that the opinion is filed pursuant to this paragraph. **Unless there is a majority vote of the participating commissioned judges to publish, the opinion shall not be published.**

JAMES G. COLLINS,  
*President Judge*

[Pa.B. Doc. No. 06-749. Filed for public inspection May 5, 2006, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CLEARFIELD COUNTY

#### Amendment to Rules of Civil Procedure; 06-10-MD

##### Order

*And Now*, this 11th day of April, 2006, upon Motion of the Clearfield County Civil Rules Committee, it is the *Order* of this Court that the following amendment be and it is hereby adopted as an amendment to the Court of Common Pleas of Clearfield County, 46th Judicial District, Rules of Civil Procedure:

##### **Rule 410. Designated Publications For All Matters Involving Real Property.**

Whenever service by publication is authorized by law or rule of court, or by special order of court, and the manner of publication is not otherwise specified, for all matters involving real property, such service shall be made by publishing the required notice one time

in the DuBois Courier Express for matters arising in the City of DuBois, Troutville Borough, Brady Township, Huston Township, Pine Township, Sandy Township, and Union Township, and in the Clearfield *Progress* for matters involving real property arising in all other townships and boroughs located in Clearfield County, and one time in the *Clearfield County Legal Journal* unless otherwise ordered by the Court or mandated by statute or other rule. Affidavits of publication shall be filed in the Prothonotary's Office.

Said Rule shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

It is the further *Order* of this Court that said Rule is hereby directed to be distributed in accordance with Pa.R.C.P. Rule 239.

*By the Court*

FREDRIC J. AMMERMAN,  
*President Judge*

[Pa.B. Doc. No. 06-750. Filed for public inspection May 5, 2006, 9:00 a.m.]

### WESTMORELAND COUNTY

#### Adoption of Rule of Criminal Procedure WC 462; No. 2 Civil of 2006

##### Order

*And Now This* 20th day of April 2006, it is hereby Ordered that new Westmoreland Rule of Criminal Procedure WC462 is adopted effective thirty days after publication in the *Pennsylvania Bulletin*.

*By the Court*

DANIEL J. ACKERMAN,  
*President Judge*

##### **Rule WC 462 Trial De Novo**

(a) Absent an indication on the Summary Appeal Order of the number of days in which payment is due, the Clerk of Courts will set the payment due date as 30 days from the date of the Order.

(b) In the event of a withdrawal or dismissal of the appeal, the Clerk will enter the payment due date pursuant to the Summary Appeal Order or, if the Order is silent as to the due date, any magisterial district judge payment schedule forwarded with the record. Absent any due date on the Summary Appeal Order or magisterial district judge time payment schedule, the due date will be set as 30 days from the date of the Summary Appeal Order to enter judgment on the judgment of the magisterial district judge.

(c) The Clerk of Courts will establish a due date of thirty days from the effective date of this rule for all summary cases then in the system with amounts due and no due date otherwise indicated.

(d) The Clerk of Courts will enforce nonpayment of restitution, costs, fees, and fines in summary cases primarily through the Clerk's collection system of notification letters and then through a collection agency.

[Pa.B. Doc. No. 06-751. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Transfer of Attorneys to Inactive Status

Notice is hereby given that the following attorneys have been transferred to inactive status by Order of the Supreme Court of Pennsylvania dated March 21, 2006, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective April 20, 2006 for Compliance Group 2 due August 31, 2005.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

Agiliga, Alexander Nnanna  
Takoma Park, MD

Banks, Alexander William  
South Royalton, VT

Belfatto, Thomas Anthony  
Moorestown, NJ

Bell, Marlene D.  
Washington, D.C.

Bokma, Richard Allen  
Hamilton, NJ

Calvelli, John F.  
Bronx, NY

Carnevale, Lawrence F.  
New York, NY

Cornblath, Dana Gail  
Boca Raton, FL

Erkenbrack, Richard K.  
Arlington, VA

Freeman, Marvin L.  
Dulles, VA

Gladstein, Bruce Peter  
Pawtucket, RI

Gluck, James J.  
Toms River, NJ

Goodenow, Robert William  
Tononto, Ontario

Gramigna, Jr., Edward A.  
Florham Park, NJ

Heyburn, Edward Harrington  
Robbinsville, NJ

Jenkins, Melanie A.  
New York, NY

Kelleher, Christopher J.  
Marlton, NJ

Liu, Michael Edwin  
Santa Clara, CA

Loffredo, Peter A.  
Toms River, NJ

Marzetti, Alfred Paul  
Research Triangle Park, NC

Micklos, Jeffrey George  
Washington, D.C.

Sacks-Wilner, James E.  
Trenton, NJ

Schwartz, Kyle Glenn  
Bound Brook, NJ

Scolaro, Richard S.  
Jamesville, NY

Strobel, Carol Susan  
Westmont, NJ

Trigoboff, Daniel  
Fayetteville, NC

Washington, David Brooks  
Washington, D.C.

Weidner, Mary Gould  
Baltimore, MD

Williams, Anna Elizabeth  
Montgomery, AL

Wright, Carl Jeffrey  
Calumet City, IL

ELAINE M. BIXLER,  
*Secretary*  
*The Disciplinary Board of the*  
*Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 06-752. Filed for public inspection May 5, 2006, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE HORSE RACING COMMISSION

[58 PA. CODE CH. 163]

### Pennsylvania Breeding Fund Program

The State Horse Racing Commission (Commission) proposes to amend Chapter 163 (relating to rules of racing) to read as set forth in Annex A.

#### *Statutory Authority*

The Race Horse Industry Reform Act (act) (4 P. S. §§ 325.101—325.402) provides the general legal authority for this proposed rulemaking.

Section 202 of the act (4 P. S. § 325.202) provides the Commission authority to adopt rules and regulations necessary to its supervision of thoroughbred horse race meetings. Section 223(b) of the act (4 P. S. § 325.223(b)) requires the Commission to promulgate regulations describing awards under the Pennsylvania Breeding Fund Program (Program).

#### *Purpose of the Proposed Rulemaking*

The proposed rulemaking revises and clarifies several definitions regarding the Program and meets the statutory requirement that the Commission promulgate a regulation providing for Program awards.

#### *Background*

The Pennsylvania Breeding Fund (Fund) is intended to stimulate and sustain this Commonwealth's thoroughbred breeding industry. The Fund currently receives an amount equivalent to 1% of the dollar amount wagered each day on thoroughbred horses at facilities conducting pari-mutuel wagering in this Commonwealth. The Fund is a restricted account in the State Racing Fund and helps support live thoroughbred racing for a series of incentive award payments to: (1) breeders of Pennsylvania-bred thoroughbred horses sired either by a registered Pennsylvania sire or a nonregistered sire; (2) owners of registered Pennsylvania sires; and (3) licensed owners of registered Pennsylvania-bred thoroughbred horses. Since 1981, the act has provided a clear description of how awards are to be calculated and distributed, but also requires that the Commission address this subject in regulation.

The Pennsylvania Horse Breeders' Association (PHBA) retains records relevant to the Commission's administration of the Program and performs other functions described in section 223 of the act.

#### *Overview of the Proposed Rulemaking*

Proposed amendments to § 163.531 (relating to definitions) clarify the definitions of "Pennsylvania-bred horse" and "Pennsylvania sire" and add definitions for commonly used terms.

Proposed amendments to § 163.538 (relating to purses and awards) repeat the award requirements in section 223(b) of the act.

The Commission is satisfied that there are no reasonable alternatives to proceeding with this proposed rulemaking.

#### *Affected Individuals and Organizations*

There are approximately 625 persons who have foals or stallions that are currently registered with the PHBA who would be affected by this proposed rulemaking. The number of currently-registered foals and stallions is approximately 1,100. Since the number of affected persons would not be appreciably changed by the proposed rulemaking, and the requirements of the Program would not be substantively altered by the proposed rulemaking, the Commission does not expect there to be an appreciable adverse impact on the affected community.

#### *Fiscal Impact*

The proposed rulemaking will impose no additional costs and have no fiscal impact upon the Commonwealth, the public sector or the general public.

#### *Paperwork Requirements*

The proposed rulemaking will result in no additional paperwork for the Commission.

#### *Effective Date*

The proposed rulemaking will take effect upon final-form publication in the *Pennsylvania Bulletin*.

#### *Public Comments and Contact Person*

Interested persons are invited to submit written comments regarding this proposed rulemaking to Benjamin H. Nolt, Jr., Executive Secretary, State Horse Racing Commission, Room 304, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110, (717) 346-9643 within 30 calendar days after the date of publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 24, 2006, the Commission submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of House State Government Committee and the Senate State Government Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Commission, the General Assembly and the Governor of comments, recommendations or objections raised.

BENJAMIN H. NOLT, Jr.,  
*Executive Secretary*

**Fiscal Note:** 34-65. No fiscal impact; (8) recommends adoption.

#### **Annex A**

#### **TITLE 58. RECREATION**

#### **PART IV. HORSE RACING COMMISSION**

#### **CHAPTER 163. RULES OF RACING**

#### **PENNSYLVANIA BREEDERS' FUND PROGRAM**

#### **§ 163.531. Definitions.**

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

*Breeder*—[ A breeder is the ] The owner of the dam at the time of foaling, and indicated as such on the certificate of registration issued by the Jockey Club. [ When a horse is held under a lease or partnership registered with the jockey club, the lease or partnership will be deemed to be the owner. ]

*Fund*—The Pennsylvania Breeding Fund as created by section 223 of the act (4 P. S. § 325.223).

*The Jockey Club*—The breed registry organization for all thoroughbred horses in North America, having responsibility for maintaining the American Stud Book, which includes all thoroughbreds foaled in the United States, Canada and Puerto Rico, as well as thoroughbreds imported into those countries from other countries that maintain similar thoroughbred registries.

*Pennsylvania-bred horse*—[ A Pennsylvania-bred horse is a thoroughbred horse foaled in this Commonwealth, which during the year of foaling, the foal or its dam spent a minimum of 90 days at a facility in this Commonwealth and is subsequently registered with the Pennsylvania Horse Breeders Association and the Jockey Club. ] A thoroughbred horse with respect to which all of the following apply:

- (i) The horse was foaled in this Commonwealth.
- (ii) The horse is the subject of a current certificate of registration issued by the Jockey Club.
- (iii) The horse meets the registration eligibility qualifications for participation in the Fund program as determined by the Pennsylvania Horse Breeders Association.
- (iv) The horse is registered with the Pennsylvania Horse Breeders Association in accordance with § 163.535 (relating to records of registration).

*Pennsylvania sire*—[ A Pennsylvania sire is a thoroughbred stallion that regularly stands for a breeding season in this Commonwealth and is registered with the Pennsylvania Horse Breeders Association. ] A thoroughbred stallion with respect to which all of the following apply:

- (i) The horse regularly stands in this Commonwealth.
- (ii) The horse meets the registration eligibility qualifications for participation in the Fund program as determined by the Pennsylvania Horse Breeders Association.
- (iii) The horse is registered with the Pennsylvania Horse Breeders Association in accordance with § 163.535; and is so registered each year the stallion stands in Pennsylvania.

§ 163.538. Purses and awards.

\* \* \* \* \*

(b) The Pennsylvania Breeders Association shall compile awards earned by breeders [ and ], owners of Pennsylvania sires and owners of Pennsylvania-bred horses and maintain a separate ledger of them. Monthly, a certified report of awards earned shall be forwarded to the Commission. After the Commission has reviewed and approved them it will be forwarded to the Department of Treasury for payment to the awardees. Awards shall be provided for as follows:

(1) *Awards to breeders.* An award of 30% of the purse earned by every registered Pennsylvania-bred thoroughbred horse sired by a registered Pennsylvania sire at the time of conception of the registered Pennsylvania-bred thoroughbred horse, or an award of 20% of the purse earned by every registered Pennsylvania-bred thoroughbred horse sired by a nonregistered sire, which finishes first, second or third in any race conducted by a licensed corporation under the act shall be paid to the breeder of the registered Pennsylvania-bred thoroughbred horse. A single award under this paragraph may not exceed 1% of the total annual Fund money.

(2) *Awards to owners of registered Pennsylvania sires.* An award of 10% of the purse earned by any Pennsylvania-bred thoroughbred horse which finishes first, second or third in any race conducted by a licensed corporation under the act shall be paid to the owner of the registered Pennsylvania sire which regularly stood in Pennsylvania at the time of conception of the Pennsylvania-bred thoroughbred horse. A single award under this paragraph may not exceed .5% of the total annual Fund money.

(3) *Awards to owners of Pennsylvania-bred horses.* An award of 10% of the purse earned by any registered Pennsylvania-bred thoroughbred horse which finishes first in any race conducted by a licensed corporation under the act not restricting entry to registered Pennsylvania-bred thoroughbred horses shall be paid to the licensed owner of the registered Pennsylvania-bred thoroughbred horse at the time of winning. A single award under this paragraph may not exceed .5% of the total annual Fund money.

\* \* \* \* \*

[Pa.B. Doc. No. 06-753. Filed for public inspection May 5, 2006, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Pennsylvania Agricultural Product Promotion Matching Grant Program; 2006-2007 Application Period

An application period for grants under the Pennsylvania Agricultural Product Promotion Matching Grant Program (program) will open at 8 a.m. on June 7, 2006, and close at 4 p.m. on July 7, 2006. The program is administered by the Department of Agriculture (Department). A statement of policy describing the program is in 7 Pa. Code Chapter 105 (relating to Pennsylvania Agricultural Product Promotion Matching Grant Program—statement of policy).

In summary, the program provides matching funds to nonprofit agricultural marketing organizations in this Commonwealth for projects intended to increase consumer awareness of Pennsylvania agricultural products and thereby increase sales of these products.

This office will review and evaluate applications for matching grants under the program and may consider the following factors, among others, in deciding whether to approve or reject a particular matching grant request:

- (1) The relevance of the project to the promotion or marketing of Pennsylvania agricultural products (such as through the PA Preferred Program, for example).
- (2) The innovativeness of the project described in the application (renewable energy programs, for example).
- (3) The scope of the project and the number of people who will be exposed to or affected by the project described in the application.
- (4) The impact which the project will have upon the promotion and sales of the Pennsylvania agricultural products to which the project is targeted.
- (5) The availability of full funding for the project from the applicant or from any source other than the program.
- (6) The apparent ability of the applicant to complete the project as described in the application or, in the case

of a grant to fund a National or regional agricultural product promotion or marketing project, the apparent ability of the entity with primary responsibility for the project to complete it.

(7) The overall performance of the applicant on prior projects (if any) funded by the program, including the timely filing of reports describing how project results compared to goals and objectives.

(8) Projects that are joint efforts between two or more nonprofit agricultural product promotion and marketing organizations in this Commonwealth may be given preference over projects involving only one organization.

(9) Projects where reference to the Department as a source of funding can practicably be made in promotional materials or broadcasts and that would make such a reference may be given preference over projects that would not make such a reference.

The application, work plan and budget should reflect January 1, 2007, as the project start date and no later than December 31, 2007, as the project completion date. Grant funds will be disbursed as follows: 50% advance payment within 60 days of receipt of a fully executed grant agreement by the Department, 30% within 60 days of receipt by the Department of proof that the project is at least 50% completed and 20% within 60 days of receipt by the Department of required project completion reports and documentation.

Applications for matching grants under the program will be accepted by the Department at the following address from 8 a.m. on Wednesday, June 7, 2006, through 4 p.m. on Friday, July 7, 2006. Untimely applications will not be considered.

Information and a grant application may be obtained online by accessing [www.agriculture.state.pa.us](http://www.agriculture.state.pa.us). Questions regarding the program should be directed to Kyle Nagurny, Director, Bureau of Market Development, Department of Agriculture, 2301 North Cameron Street, Room 310, Harrisburg, PA 17110-9408, (717) 787-6041.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 06-754. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending April 25, 2006.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-21-06	Tower Bancorp, Inc., Greencastle, to acquire 100% of the voting shares of FNB Financial Corporation, McConnellsburg	Greencastle	Approved

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-25-06	F.N.B. Corporation, Hermitage, to acquire 100% of the voting shares of The Legacy Bank, Harrisburg, and The Legacy Trust Company, Harrisburg	Hermitage	Approved

Upon the consummation of the acquisition, The Legacy Bank and The Legacy Trust Company will be merged with and into the First National Bank of Pennsylvania, Greenville, and the First National Trust Company, Hermitage, respectively, both subsidiaries of F.N.B. Corporation.

#### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-25-06	Conestoga Bank Uwchland Chester County	157 North Pottstown Pike Uwchland Chester County	Approved

#### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-21-06	Community First Bank, National Association Reynoldsville Jefferson County	Reynoldsville	Approved
	<i>To:</i> Community First Bank Reynoldsville Jefferson County		

Represents conversion from a Nationally-chartered banking association to a Pennsylvania State-chartered commercial bank.

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-17-06	Graystone Bank Lancaster Lancaster County	Chateau Place, Lot 1 Linglestown Road Harrisburg Dauphin County	Filed
4-17-06	Graystone Bank Lancaster Lancaster County	1276 North Atherton Street State College Centre County	Filed
4-18-06	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	515 Berlin Cross Keys Road Sicklerville Camden County, NJ	Filed
4-19-06	CommunityBanks Millersburg Dauphin County	Route 39, Hershey Road Hummelstown South Hanover Township Dauphin County	Filed
4-20-06	East River Bank Philadelphia Philadelphia County	6137 Ridge Avenue Philadelphia Philadelphia County	Approved
4-20-06	Keystone Nazareth Bank & Trust Company Bethlehem Northampton County	837 Male Road Wind Gap Northampton County	Approved
4-21-06	Mauch Chunk Trust Company Jim Thorpe Carbon County	735 Blakeslee Boulevard Drive East Lehighton Mahoning Township Carbon County	Approved
4-24-06	Woodlands Bank Williamsport Lycoming County	1980 West Fourth Street Williamsport Lycoming County	Opened



<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-25-06	Embassy Bank for the Lehigh Valley Bethlehem Northampton County	925 West Broad Street Bethlehem Lehigh County	Approved
4-25-06	First Commonwealth Bank Indiana Indiana County	2501 East Carson Street Pittsburgh Allegheny County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

The Department's website at [www.banking.state.pa.us](http://www.banking.state.pa.us) includes public notices for more recently filed applications.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 06-755. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Community Conservation Partnerships Program Grants Available; Preapplication Workshops Scheduled

The Department of Conservation and Natural Resources (Department) announces the 2006-2007 open application period for the Community Conservation Partnerships Program Grants administered by the Bureau of Recreation and Conservation (Bureau). The primary open application period will officially begin May 6, 2006, and end at 5 p.m. on September 29, 2006. A supplemental open application period for planning and acquisition projects only will begin October 2, 2006, and end April 13, 2007. Funding for recreation and conservation programs including Community Recreation, Land Trusts, Rails-to-Trails, Rivers Conservation, Pennsylvania Recreational Trails, Snowmobile/ATV and Land and Water Conservation Fund will be the focus of eight workshops and breakout sessions scheduled at the following locations throughout this Commonwealth during May and June, 2006.

May 24, 2006	Ramada Inn, Altoona	8:30 a.m.—12 p.m.
May 30, 2006	Holiday Inn Conference Center, Allentown	8:30 a.m.—12 p.m.
May 31, 2006	Radisson, King of Prussia	8:30 a.m.—12 p.m.
June 13, 2006	Holiday Inn, Williamsport	8:30 a.m.—12 p.m.
June 14, 2006	The Inn at Nichols Village, Clarks Summit	8:30 a.m.—12 p.m.
June 19, 2006	Four Points-Sheraton, Pittsburgh	8:30 a.m.—12 p.m.
June 20, 2006	Holiday Inn, Clarion	8:30 a.m.—12 p.m.
June 29, 2006	Holiday Inn-East, Harrisburg	8:30 a.m.—12 p.m.

The grant application manual for Fiscal Year 2006-2007 as well as forms and additional information regarding directions to the workshops may be found on the Department's website: [www.dcnr.state.pa.us/grants](http://www.dcnr.state.pa.us/grants). The grant manual can also be requested by contacting the Department of Conservation and Natural Resources, Bureau of Recreation and Conservation, 6th Floor, Rachel Carson State Office Building, P. O. Box 8475, Harrisburg, PA 17105-8475, (717) 787-7672, [rec&con@state.pa.us](mailto:rec&con@state.pa.us). The Bureau will conduct the workshops in cooperation with the Pennsylvania Recreation and Park Society.

Persons with a disability who wish to submit an application and require assistance should contact Darrel Siesholtz at (717) 787-7672 to discuss how the Department may best accommodate their needs. Voice/TTY users should call (800) 654-5984.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 06-756. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Robert Hughes for Reinstatement of Teaching Certificate; Doc. No. RE 05-04

#### Hearing

Under the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.1—2070.18a), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Robert Hughes for reinstatement of his teaching certificate.

On or about September 14, 2005, Robert Hughes filed an application for reinstatement of his teaching certificate under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and the former 22 Pa. Code § 233.14 (relating to reinstatement). Under section 16 of the act, the Department of Education on April 12, 2006, recommended to the Commission that the application be denied. In accordance with the act and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary and to prepare a proposed report to

the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties wishing to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate should contact Suzanne B. Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

GERALD L. ZAHORCHAK, D Ed.,  
*Secretary*

[Pa.B. Doc. No. 06-757. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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### 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0087564 (Sew)	Donald and Linda Yingling 3574 Taneytown Road Gettysburg, PA 17325-8635	Adams County Cumberland Township	UNT to Plum Run 13-D	Y
PA0081582 (Sew)	Possum Valley Municipal Authority P. O. Box 420 Bendersville, PA 17306	Adams County Menallen Township	Opossum Creek 7-F	Y
PA0085707 (Sew)	Cocalico Valley Poultry Farms 1095 Mount Airy Road Stevens, PA 17578-9791	Lancaster County West Cocalico Township	UNT to Indian Run 7-J	Y
PA0085171 (Sew)	Lyons Borough Municipal Authority P. O. Box 131 316 S. Kemp Street Lyon Station, PA 19536-0131	Berks County Lyons Borough Maxatawny Township	Sacony Creek 3-B	Y
PA0083194 (Sew)	Sunoco, Inc. Blue Mountain Service Plaza 350 Eagleview Blvd. Suite 300 Exton, PA 19341	Cumberland County Hopewell Township	Newburg Run 7-B	Y
PA0070149 (Sew)	Leesport Borough Authority 10 East Wall Street P. O. Box 710 Leesport, PA 19533-0710	Berks County Leesport Borough Ontelaunee Township	Schuylkill River 3-B	Y
PA0070360 (Sew)	All American Plazas, Inc. P. O. Box 302 Bethel, PA 19507	Berks County Bethel Township	UNT to Crosskill Creek 7-D	Y
PA0012998 (IW)	Atlas Minerals & Chemicals, Inc. 1227 Valley Road P. O. Box 38 Mertztown, PA 19539-0038	Berks County Longswamp Township	Toad Creek 2-C	Y
PA00247944	Spring Grove Area School District Paradise Elementary School 10 East College Avenue Spring Grove, PA 17362	York County Paradise Township	UNT Beaver Creek 7-F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0112704 Sewerage	John A. Yohey 88 Dutch Hill Road Bloomsburg, PA 17815	Columbia County Montour Township	Montour Run 5-C	Y

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

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

**PA0026671**, Sewage, **City of Philadelphia Water Department**, ARAMARK Tower, 1101 Market Street, Philadelphia, PA 19107-2994. This application is for renewal of an NPDES permit to discharge treated sewage from the Southwest Water Pollution Control Plant in the City of Philadelphia, **Philadelphia County**. This is an existing discharge to the Delaware River, Zone 4.

The receiving stream is classified for the following uses: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 200 mgd, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
CBOD <sub>5</sub> (% Removal)	≥89.5		
CBOD <sub>20</sub>	35,830 lbs/day		
Total Suspended Solids	30	45	60
Total Suspended Solids (% Removal)	≥85		
Fecal Coliform	#200/100 ml		#1,000/100 ml
pH	within limits of 6.0 to 9.0 standard units at all times		
Total Residual Chlorine	0.5		1.0
Dissolved Oxygen	Monitor and Report		Monitor and Report (I-Min.)
Ammonia as N	Monitor and Report	Monitor and Report (Daily Max)	
Nitrate as N	Monitor and Report	Monitor and Report (Daily Max)	
Nitrite as N	Monitor and Report	Monitor and Report (Daily Max)	
Total Kjeldahl Nitrogen	Monitor and Report	Monitor and Report (Daily Max)	
Phosphorus as P	Monitor and Report	Monitor and Report (Daily Max)	
Copper, Total	Monitor and Report		
Zinc, Total	Monitor and Report		
Lead, Total	Monitor and Report		
Iron, Dissolved	Monitor and Report		
Phenols, Total	Monitor and Report		
Cyanide, Free	Monitor and Report		
Nickel, Total	Monitor and Report		
Selenium, Total	Monitor and Report		
Chloroform	Monitor and Report		
1,2-Dichloethane	Monitor and Report		
Tetrachloroethylene	Monitor and Report		
Trichloroethylene	Monitor and Report		
Benzidine	Monitor and Report		
Dieldrin	Monitor and Report		
Alpha-Endosufan	Monitor and Report		
Beta-BHC	Monitor and Report		
Chlordane	Monitor and Report		
4,4' DDE	Monitor and Report		
4,4' DDD	Monitor and Report		
4,4' DDT	Monitor and Report		
Heptachlor	Monitor and Report		
Lindane	Monitor and Report		
WET	Monitor and Report		
(Chronic)	(Daily Max)		
(Acute)	(Daily Max)		

The facility has one Emergency Relief Outfall 001A. The outfall is located at effluent pumping station, which discharges into Eagle Creek. The proposed effluent limitations are as follows:

Parameter	Concentration (mg/l)		
	Instantaneous Minimum	Average Monthly	Instantaneous Maximum
Flow (mgd)		Monitor and Report	
Duration (Minute)		Monitor and Report	
Fecal Coliform (#/100 ml)		Monitor and Report	Monitor and Report
pH (standard units)	Monitor and Report		Monitor and Report

The facility has 16 stormwater outfalls, discharges into Eagle Creek. Since all outfalls are receiving stormwater from facility having similar operations, monitoring of only one outfall (SW1) is required.

The proposed effluent limitation for Outfalls SW1 through SW16 (stormwater) are as follows:

Parameter	Concentration
	Daily Maximum (mg/l)
CBOD <sub>5</sub>	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report
pH	Monitor and Report
Total Suspended Solids	Monitor and Report
Total Kjeldahl Nitrogen (TKN)	Monitor and Report
Total Phosphorus	Monitor and Report
Fecal Coliform (#/100 ml)	Monitor and Report

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

1. CSOs Requirements.
2. PCBs Requirements.
3. TSS % Removal.
4. BOD<sub>5</sub> % Removal.
5. Operator Training Plan.
6. Chronic WET Test Requirements.
7. Maximize Flow to Treatment Plant.
8. Approved Pretreatment Program.

The EPA waiver is not in effect.

**PA0026689**, Sewage, **City of Philadelphia Water Department**, ARAMARK Tower, 1101 Market Street, Philadelphia, PA 19107-2994. This application is for renewal of an NPDES permit to discharge treated sewage from the Northeast Water Pollution Control Plant in the City of Philadelphia, **Philadelphia County**. This is an existing discharge to the Delaware River, Zone 3.

The receiving stream is classified for the following uses: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 200 mgd, are as follows:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	40	50
CBOD <sub>5</sub> (% Removal)	≥86		
CBOD <sub>20</sub>	71,760 lbs/day		
Total Suspended Solids	30	45	60
Total Suspended Solids (% Removal)	≥85		
Fecal Coliform	#200/100 ml		#1,000/100 ml
pH	within limits of 6.0 to 9.0 standard units at all times		
Total Residual Chlorine	0.5		1.0
Dissolved Oxygen	Monitor and Report		Monitor and Report (I-Min.)
Ammonia as N	Monitor and Report	Monitor and Report (Daily Maximum)	
Nitrate as N	Monitor and Report	Monitor and Report (Daily Maximum)	
Nitrite as N	Monitor and Report	Monitor and Report (Daily Maximum)	
Total Kjeldahl Nitrogen	Monitor and Report	Monitor and Report (Daily Maximum)	
Phosphorus as P	Monitor and Report	Monitor and Report (Daily Maximum)	
Copper, Total	Monitor and Report	Monitor and Report (Daily Maximum)	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Zinc, Total	Monitor and Report		
Lead, Total	Monitor and Report		
Iron	Monitor and Report		
Total	Monitor and Report		
Dissolved	Monitor and Report		
Phenols, Total	Monitor and Report		
Chloroform	Monitor and Report		
Dichlorobromomethane	Monitor and Report		
1,2-Dichloroethane	Monitor and Report		
Tetrachloroethylene	Monitor and Report		
Trichloroethylene	Monitor and Report		
Benzidine	Monitor and Report		
Dieldrin	Monitor and Report		
Endrin	Monitor and Report		
Alpha BHC	Monitor and Report		
Beta BHC	Monitor and Report		
Chlordane	Monitor and Report		
4,4' DDE	Monitor and Report		
4,4' DDD	Monitor and Report		
4,4' DDT	Monitor and Report		
Heptachlor	Monitor and Report		
Lindane	Monitor and Report		
WET			
(Chronic)	Monitor and Report (Daily Maximum)		
(Acute)	Monitor and Report (Daily Maximum)		

The proposed effluent limitation for Outfall 061 (stormwater) are as follows:

<i>Parameter</i>	<i>Concentration Daily Maximum (mg/l)</i>
CBOD <sub>5</sub>	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report
pH	Monitor and Report
Total Suspended Solids	Monitor and Report
Total Kjeldahl Nitrogen (TKN)	Monitor and Report
Total Phosphorus	Monitor and Report
Fecal Coliform (#/100 ml)	Monitor and Report

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

1. CSOs Requirements.
2. PCBs Requirements.
3. TSS % Removal.
4. BOD<sub>5</sub> % Removal.
5. Operator Training Plan.
6. Chronic WET Test Requirements.
7. Maximize Flow to Treatment Plant.
8. Approved Pretreatment Program.

The EPA waiver is not in effect.

**PA0026662**, Sewage, **City of Philadelphia Water Department**, ARAMARK Tower, 1101 Market Street, Philadelphia, PA 19107-2994. This application is for renewal of an NPDES permit to discharge treated sewage from the Southeast Water Pollution Control Plant in the City of Philadelphia, **Philadelphia County**. This is an existing discharge to the Delaware River, Zone 3.

The receiving stream is classified for the following uses: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 112 mgd, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	30	45	60
BOD <sub>5</sub> (% Removal)	≥86		
CBOD <sub>20</sub>	33,600 lbs/day		
Total Suspended Solids	30	45	60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids (% Removal)	≥85		
Fecal Coliform	#200/100 ml		#1,000/100 ml
pH	within limits of 6.0 to 9.0 standard units at all times		
Total Residual Chlorine	0.5		1.0
Dissolved Oxygen	Monitor and Report	Monitor and Report (I-Min.)	
Ammonia as N	Monitor and Report	Monitor and Report (Daily Maximum)	
Nitrate as N	Monitor and Report	Monitor and Report (Daily Maximum)	
Nitrite as N	Monitor and Report	Monitor and Report (Daily Maximum)	
Total Kjeldahl Nitrogen	Monitor and Report	Monitor and Report (Daily Maximum)	
Phosphorus as P	Monitor and Report	Monitor and Report (Daily Maximum)	
Copper, Total	Monitor and Report		
Zinc, Total	Monitor and Report		
Lead, Total	Monitor and Report		
Iron, Total	Monitor and Report		
Phenols, Total	Monitor and Report		
Chloroform	Monitor and Report		
Dichlorobromomethane	Monitor and Report		
1,2-Dichloroethane	Monitor and Report		
1,1,2,2-Tetrachloroethane	Monitor and Report		
Tetrachloroethylene	Monitor and Report		
Trichloroethylene	Monitor and Report		
Benzidine	Monitor and Report		
Bis (2 Ethylhexyl) Phthalate	Monitor and Report		
Alpha BHC	Monitor and Report		
Gamma BHC	Monitor and Report		
Chlordane	Monitor and Report		
4,4' DDE	Monitor and Report		
4,4' DDD	Monitor and Report		
4,4' DDT	Monitor and Report		
Heptachlor	Monitor and Report		
Beta, Total (pci/l)	Monitor and Report		
WET (Chronic)	Monitor and Report (Daily Maximum)		
(Acute)	Monitor and Report (Daily Maximum)		

The proposed effluent limitation for Outfall 038 (stormwater) are as follows:

<i>Parameter</i>	<i>Concentration Daily Maximum (mg/l)</i>
CBOD <sub>5</sub>	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report
pH	Monitor and Report
Total Suspended Solids	Monitor and Report
Total Kjeldahl Nitrogen (TKN)	Monitor and Report
Total Phosphorus	Monitor and Report
Fecal Coliform (#/100 ml)	Monitor and Report

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

1. CSOs Requirements.
2. PCBs Requirements.
3. TSS % Removal.
4. BOD<sub>5</sub> % Removal.
5. Operator Training Plan.
6. Chronic WET Test Requirements.
7. Maximize Flows to Treatment Plant.
8. Approved Pretreatment Program.

The EPA waiver is not in effect.

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

**PA0008907**, Industrial, **HPG International, Inc.**, Oakhill Road, Crestwood Industrial Park, Mountain Top, PA 18707. This proposed facility is located in Wright Township, **Luzerne County**.

Description of Proposed Activity: application for renewal of an existing NPDES permit to discharge treated process wastewater, noncontact cooling water and stormwater.

The receiving stream, Watering Run Creek is in watershed 5B and classified for CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Danville Water Authority is located on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.014 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>
BOD <sub>5</sub>		9.4
Oil and Grease		10.5
Total Suspended Solids		7.0
pH		6.0 to 9.0 at all times
Ammonia-N	Report	
Kjeldahl-N	Report	
Nitrate-Nitrite as N	Report	
Total Nitrogen	Report	
Total Phosphorus	Report	

*Internal Monitoring Point 101—For Site Stormwater*

The proposed effluent limits based on design flow of n/a mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>
CBOD <sub>5</sub>	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report
PH	Monitor and Report
Total Suspended Solids	Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report
Total Phosphorous	Monitor and Report
Iron (Total)	Monitor and Report

The EPA waiver is in effect.

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

**PA0218812**, Sewage, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. This application is for renewal of an NPDES permit to discharge treated sewage from Hillsdale Sewage Treatment Plant in Montgomery Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving water, known as Cush Creek, which is classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the PA American Water Company located on the West Branch Susquehanna River.

*Outfall 001: existing discharge, design flow of 0.055 mgd.*

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>				
(5-1 to 10-31)	20			40
(11-1 to 4-30)	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	1.9			3.8
(11-1 to 4-30)	2.8			5.6
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			
Ammonia Nitrogen	Report			
Kjeldahl-N	Report			



Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Nitrite-N	Report			
Nitrate-N	Report			
Total Nitrogen	Report			
Total Phosphorus	Report			

The EPA waiver is in effect.

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

**PA0027120**, Sewage. **City of Warren**, 318 West Third Avenue, Warren, PA 16365. This existing facility is located in Warren, **Warren County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Municipal Water Authority located on the Allegheny River and is approximately 95 miles below point of discharge.

The receiving stream, the Allegheny River, is in watershed 16-B and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 from issuance date until 60 days after completion of plant expansion are based on a design flow of 4.25 mgd.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX	XX			
CBOD <sub>5</sub>	886	1,417	25	40	50
Total Suspended Solids	1,063	1,595	30	45	60
Fecal Coliform (5-1 to 9-30)		200/100ml as a geometric average			
(10-1 to 4-30)		2,000/100ml as a geometric average			
Total Residual Chlorine			0.69		2.2
pH		6.0 to 9.0 standard units at all times			

The proposed effluent limits for Outfall 001 from 60 days after completion of treatment plant expansion to expiration date are based on a design flow of 6.25 mgd.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX	XX			
CBOD <sub>5</sub>	1,350	2,085	25	40	50
Total Suspended Solids	1,625	2,435	30	45	60
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric average			
(10-1 to 4-30)		2,000/100 ml as a geometric average			
Total Residual Chlorine			0.5		1.6
pH		6.0 to 9.0 standard units at all times			

XX—Monitor and report on monthly DMRs.

The EPA waiver is not in effect.

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

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

**WQM Permit No. 0906402**, Sewerage, **The Municipal Authority of the Borough of Morrisville**, Morrisville Municipal Authority, 35 Union Street, Morrisville, PA 19067. This proposed facility is located in Falls Township and Morrisville Borough, **Bucks County**.

Description of Action/Activity: Modifications and upgrades to existing pump station.

**WQM Permit No. 1506404**, Sewerage, **Pennsylvania American Water**, 800 West Hersheypark Drive, Hershey, PA 17033. This proposed facility is located in South Coatesville Borough, **Chester County**.

Description of Action/Activity: Upgrade and expansion of the existing Wastewater Treatment Plant.

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

**WQM Permit No. 4506405**, Sewerage, **Smithfield Sewer Authority**, R. D. 5, Box 5229, East Stroudsburg, PA 18301. This proposed facility is located in Smithfield Township, **Monroe County**, PA.

Description of Proposed Action/Activity: This project involves the construction of a sewage collection and conveyance system to serve the Fox Chapel development.

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

**WQM Permit No. 2893404, Amendment 06-1**, Sewerage, **Deerwood Community Homeowners Association**, 11375 Deerwood Drive, Mercersburg, PA 17236. This proposed facility is located in Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking approval for a Sewage Treatment Plant Expansion.

**WQM Permit No. 3806403**, Sewerage, **South Londonderry Township Municipal Authority**, P. O. Box 3, Campbelltown, PA 17010-0003. This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking approval for construction/expansion of a gravity sewer collection system to collect and convey sanitary sewage to existing portions and newly developed areas of Campbelltown.

**WQM Permit No. 2802402, Amendment 06-1**, Sewerage, **Dr. and Mrs. Gregg Brady**, 7886 Lincoln Way West, Saint Thomas, PA 17252. This proposed facility is located in St. Thomas Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking approval for addition of a sand filter to their sewage treatment system.

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

**WQM Permit No. 1406405**, Sewerage 4952, Potter Township, Centre County, **Country Club Estates WWTP**, 124 Short Road, Spring Mills, PA 16875. This proposed facility will be located in Bald Eagle Township, **Clinton County**.

Description of Proposed Action/Activity: The applicant is proposing the first stage of replacement for the existing Country Club Estates WWTP. The first stage being proposed is the replacement of the existing control building with a new control building and the installation of a tertiary filter. The old control building will be taken offline and demolished as part of this project.

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

**WQM Permit No. 5672411-A2**, Sewerage, **United Mobile Homes, Inc.**, 1275 Forman Drive, Morgantown, WV 26508. This proposed facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Application for the expansion of a sewage treatment plant from 0.3 mgd to 0.065 mgd to treat additional flow from an expansion of the Whispering Pines Development.

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

**WQM Permit No. WQG018458**, Sewerage, **Michael R. Sorze**, 3144 West 23rd Street, Erie, PA 16506. This proposed facility is located in Girard Township, **Erie County**.

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

**WQM Permit No. WQG018459**, Sewerage, **Ken Lyons**, 31 Hemlock Avenue, P. O. Box 472, Kane, PA 16735. This proposed facility is located in Bloomfield Township, **Crawford County**.

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

**WQM Permit No. WQG018446**, Sewerage, **James and Kim Springer**, 6145 Wise Road, Hermitage, PA 16148. This proposed facility is located in Hermitage City, **Mercer County**.

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

**WQM Permit No. WQG018456**, Sewerage, **James Britton**, 4108 Winchester Road, Erie, PA 16506. This proposed facility is located in Franklin Township, **Erie County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806013	Thomas C. Armstrong Family Limited Partnership, et al. 14 McFadden Road Palmer, PA 18045	Northampton	Palmer Township	Shoeneck Creek WWF, HQ-CWF Bushkill Creek WWF, HQ-CWF

*Carbon County Conservation District: 5664 Interchange Road, Lehighton, PA 18235-5114, (610) 377-4894.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021306003	Owl Creek Properties Attn: Harry Bowie 45 Knoll Drive Lehighton, PA 18235	Carbon	Towamensing Township	Pine Run EV White Oak Run EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10S033R(1)	Pinecrest Lake Homes P. O. Box J Routes 423 and 940 Pocono Lake, PA 18350	Monroe	Tobyhanna Township	Upper Tunkhannock Creek HQ-CWF Beaver Creek HQ-CWF

*Southwest Region: Watershed 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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050205008-1	Department of Veterans Affairs University Drive C Pittsburgh, PA 15240	Allegheny	O'Hara Township	Squaw Run HQ-WWF
PAI050206001	The Buncher Company 5600 Forward Avenue Pittsburgh, PA 15217-0930	Allegheny	Leetsdale Borough	Little Sewickley Creek 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 should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**SAFE DRINKING WATER**

**Applications Received Under the Pennsylvania Safe Drinking Water Act**

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

**Application No. 3906503**, Public Water Supply.  
 Applicant **Neffs Hotel**  
 North Whitehall Township  
**Lehigh County**  
 Responsible Official Zane J. Schaffer, Sr.  
 P. O. Box 234  
 5635 Route 873  
 Neffs, PA 18065  
 Type of Facility Transient Noncommunity Water  
 System  
 Consulting Engineer Larry S. Turoscy, P. E.  
 Lehigh Engineering Associates,  
 Inc.  
 499 Riverview Drive  
 P. O. Box 68  
 Walnutport, PA 18088  
 (610) 767-8545  
 Application Received April 10, 2006  
 Date  
 Description of Action PWS permit application for  
 treatment of high nitrate levels  
 utilizing anion exchange.

**Application No. 5406501**, Public Water Supply.  
 Applicant **Far Away Springs**  
**Brandonville**  
 East Union Township  
**Schuylkill County**  
 Responsible Official Stanley F. Frompovicz  
 71 Jefferson Lane  
 Auburn, PA 17922  
 (570) 754-3152  
 Type of Facility Spring Source with Bulk Water  
 Hauling  
 Consulting Engineer Charles Yourshaw, P. E.  
 Yourshaw Engineering, Inc.  
 2520 North Norwegian Street  
 Pottsville, PA 17901  
 (570) 622-7560  
 Application Received February 16, 2006  
 Date  
 Description of Action Application for addition of a new  
 source and construction of  
 facilities for conveyance,  
 disinfection and bulk loading.

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

**Permit No. 0605506**, Public Water Supply.  
 Applicant **Berks Properties**  
 Municipality Hereford Township  
 County **Berks**  
 Responsible Official David Rittenhouse, President  
 2620 Egypt Road  
 Norristown, PA 19403  
 Type of Facility Public Water Supply  
 Consulting Engineer Todd M. Duerr, P. E.  
 American Water Services  
 453 Boot Road  
 Downingtown, PA 19335

Application Received 5/6/2005  
 Date  
 Description of Action The project consists of the  
 addition of corrosion control to  
 the existing Woodland Mobile  
 Home Park.

**Permit No. 0606506**, Public Water Supply.  
 Applicant **Borough of Wyomissing**  
 Municipality Wyomissing Borough  
 County **Berks**  
 Responsible Official Paul E. Lukehart, Borough  
 Manager  
 22 Reading Boulevard  
 Wyomissing, PA 19610  
 Type of Facility Public Water Supply  
 Consulting Engineer Eric D. McCracken, P. E.  
 Great Valley Consultants  
 75 Commerce Drive  
 Wyomissing, PA 19610

Application Received 4/11/2006  
 Date  
 Description of Action Permit application is to obtain  
 permission to operate existing  
 facilities.

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

**Permit No. 1406501—Construction** Public Water  
 Supply.  
 Applicant **Miles Township Water**  
**Authority East**  
 Township or Borough Miles Township  
 County **Centre**  
 Responsible Official Philip Meyer, Chairperson  
 Miles Township Water Authority  
 East  
 P. O. Box 157  
 Rebersburg, PA 16872  
 Type of Facility Public Water  
 Supply—Construction  
 Consulting Engineer Jason D. Wert, P. E., DEE  
 Herbert, Rowland & Grubic, Inc.  
 474 Windmere Drive  
 State College, PA 16801

Application Received 4/24/06  
 Date  
 Description of Action Construction of a 0.100 mgd  
 microfiltration water treatment  
 facility, 200,000 gallon ground  
 level finished water storage tank  
 and associated appurtenances.

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

**Permit No. 1106502**, Public Water Supply.  
 Applicant **Spangler Municipal Authority**  
 1202 Philadelphia Avenue  
 Northern Cambria, PA 15714  
 Township or Borough Barr Township

Responsible Official	Evelyn Long, Secretary Spangler Municipal Authority 1202 Philadelphia Avenue Northern Cambria, PA 15714
Type of Facility	Water treatment plant
Consulting Engineer	Stiffler, McGraw & Associates, Inc. 19 N. Juniata Street P. O. Box 462, Hollidaysburg, PA 16648
Application Received Date	April 14, 2006
Description of Action	Construction of a 300,000 gpd manganese greensand water treatment plant and replacement of 12,000 ft. of distribution main.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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

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

period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

**Domus Apts. 34th Chestnut Sts.**, City of Philadelphia, **Philadelphia County**. William F. Schmidt, P. E., Pennoni Assoc., Inc., 3001 Market St., Philadelphia, PA 19104 on behalf of Ira K. Kauderer, University of Pennsylvania, 133 South 36th St., Suite 3000, Philadelphia, PA 19104 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with semivolatile organic compounds and PAHs. The future use of the property will remain the same.

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

**Suburban Heating Oil Partners**, Lewistown Borough, **Mifflin County**. Groundwater Sciences Corporation, 2601 Market Place Street, Harrisburg, 17110, on behalf of Suburban Heating Oil Partners, 5793 Widewaters Parkway, Suite 100, Syracuse, NY, 13214, submitted a Notice of Intent to Remediate site soils and groundwater contaminated by petroleum products. The applicants seeks to remediate to the Site-Specific Standard and the property will continue to be used as a commercial facility.

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

**American Meter Company**, Erie City, **Erie County**. Mark Orzechowski, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Herbert Hoffman, American Meter Company, 132 Welsh Road, Suite 140, Horsham, PA 19044 has submitted a Notice of Intent to Remediate. The site was used for the manufacturing of gas metering and measurement products. Two underground storage tanks were reportedly removed. Tetrachloroethene and mercury were known to have been used at the site. The site utilized a vapor degreaser and included a drum storage area. The site investigation has been designed to target areas of potential historic release. Proof of publication in the *Erie Times—News* on March 22, 2006.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the

owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

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

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

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

### PLAN APPROVALS

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

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

**38-03019B: Allied Veterinary Cremation, Ltd.** (719 Lawn Road, Palmyra, PA 17078) for construction of an additional animal cremator unit at their existing facility in South Londonderry Township, **Lebanon County**. This source will be controlled by the use of an interlocked secondary combustion chamber.

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

**53-399-008: PA Pellets, LLC** (705 South Main Street, Coudersport, PA 16912) for construction of a wood pellet manufacturing operation incorporating a 45 mm/Btu per

hour wood-fired rotary sawdust dryer and associated air cleaning device (a multiclone collector) in Ulysses Borough, **Potter County**.

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

**30-00164A: Blairsville Wilbert Vault Co.** (P. O. Box 7, Blairsville, PA 15717) for installation and operation of a human crematory in Mt. Morris, **Greene County**.

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

**37-012A: Dunbar Asphalt Products, Inc.** (Route 224, Hillsville, PA 16132) for modification of a plan approval to burn recycled/reprocessed fuel oil at their Hillsville Hot Mix Batch Asphalt Plant in Mahoning Township, **Lawrence County**.

**24-012F: C/G Electrodes LLC—St. Marys Plant** (800 Theresia Street, St. Marys, PA 15857-1898) for construction of two car-bottom baking kilns Nos. 493 and 494 exhausting to an existing thermal incinerator and wet-limestone scrubber in St. Marys City, **Elk County**. This is a Title V facility.

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

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

**09-0165: Boekel Industries, Inc.** (855 Pennsylvania Blvd., Feasterville, PA 19053) for an increase to the emission limit for trichloroethylene (TCE) for an existing batch vapor degreaser at their facility in Lower Southampton Township, **Bucks County**. TCE is a VOC and a HAP. The TCE emission limit will increase from 4.0 tpy to 9.5 tpy. The plan approval will address the applicable requirements of 40 CFR Part 63, Subpart T (Halogenated Solvent Cleaning). The facility is a non-Title V facility.

As part of the compliance approach for the degreaser, the permittee has opted to employ the control combination of freeboard refrigeration device, freeboard ratio equal to or greater than 1.0 and reduced room draft. The permittee will continue to monitor and maintain records of TCE emissions for the degreaser on a monthly and 12-month rolling basis. The permit will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

**09-0126B: Air Liquide Electronics U. S., LP** (19 Steel Road West, Morrisville, PA 19067) for modification to the operating parameters for their existing S-5 Scrubber System in Falls Township, **Bucks County**. The revisions include the removal of the conditions to measure concentration of the caustic solution, the removal of conditions to monitor and record the pressure drop across the eductor venturi stage of the S-5 Scrubber System and a change of the allowable range of pressure drops across the packed bed stage of the S-5 Scrubber System. The measurement of the effectiveness of the caustic solution to remove acid gases is measured through the pH of the caustic solution. The pressure drop across the venturi

stage of the scrubber system was determined to be ineffective in determining the performance of the venturi. The gas flow rates across the packed bed are very low so there are very small differential pressures across the packed bed stage of the scrubber system.

**46-0198K: Blommer Chocolate Co.** (1101 Blommer Drive, East Greenville, PA 18041) for modification of two existing production lines, addition of a new production line and addition of a new regenerative thermal oxidizer to control emissions of VOCs from two sources in the newly proposed production line in Upper Hanover Township, **Montgomery County**. There is a net increase of 9.93 tons of VOCs per year from the proposed changes to the facility. The facility is installing the regenerative thermal oxidizer to escape new source review.

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

**39-313-046: Acme Cryogenics, Inc.** (2801 Mitchell Avenue, Allentown, PA 18103) for installation and operation of a new air cleaning device (packed tower fume scrubber) on the existing copper/brass dipping operation at their facility in the City of Allentown, **Lehigh County**. The facility is a non-Title V (State-only) facility and has been issued the Natural Minor Operating Permit No. 39-00049. The PM emissions from the air-cleaning device will be less than 1.0 tpy. The Plan Approval and Operating Permit will include emission restrictions, monitoring, reporting, recordkeeping and work practice requirements designed to keep the source operating within all applicable air quality requirements. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Natural Minor Operating Permit through an administrative amendment at a later date.

**40-317-028: Hershey Foods Corp.** (125 Reese Avenue, P. O. Box 805, Hershey, PA 17033) for modification of a confectionary manufacturing process and associated air cleaning devices at their facility in the Humboldt Industrial Park in Hazle Township, **Luzerne County**. This facility will be a Title V facility after the modification and will be required to submit a Title V Operating Permit application. The new process will result in particulate emissions of less than 1 ton per year and VOC emissions of 49 tpy. The plan approval will include all appropriate restrictions, testing, monitoring, recordkeeping and reporting requirements designed to keep the process operating within all applicable air quality requirements.

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

**21-05011A: Frog Switch and Manufacturing Co.** (600 East High Street, Carlisle, PA 17013) for replacement of a natural gas fired heat treat furnace in Carlisle Borough, **Cumberland County**. The plan approval will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**36-05026C: R. R. Donnelley and Sons Co.** (1375 Harrisburg Pike, Lancaster, PA 17601) for installation of a new heatset web offset printing press controlled by two existing regenerative thermal oxidizers at the Lancaster West facility in City of Lancaster, **Lancaster County**. This construction will result in less than 36 tons of VOC emissions and 3.2 tons of HAPs per year. The plant is a major facility and subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G. The plan

approval contains work practice standards and recordkeeping requirements designed to keep the facility operating within all applicable air quality regulations.

**36-05067J: C and D Technologies, Inc.** (82 East Main Street, Leola, PA 17540) for modification to the existing lead-acid battery manufacturing plant in Upper Leacock Township, **Lancaster County**. The modifications include the installation of two lead melting pots and additional battery assembly stations. The facility is subject to 40 CFR Part 60, Subpart KK—Standards of Performance for lead-acid battery manufacturing plants. The proposed modifications will not measurably impact facility emissions. The plan approval will include emission limits, testing, monitoring, work practice standards, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**36-05086C: Donsco, Inc.** (P. O. Box 2001, Wrightsville, PA 17368) for installation of two 3-ton electric furnaces to replace an existing electric furnace at the ferrous foundry in Mount Joy Borough, **Lancaster County**. The proposed installations will not measurably impact facility emissions. The plan approval will include emission limits, monitoring, work practice standards, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**50-03004A: Tuscarora Hardwoods, Inc.** (2240 Shermans Valley Road, Ellittsburg, PA 17024) for installation of a 27.4 mmBtu/hr wood fired boiler in Spring Township, **Perry County**. The plan approval will include stack testing, monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

**41-302-050: Wirerope Works, Inc.** (100 Maynard Street, Williamsport, PA 17701) for construction of two 15 million Btu/hr anthracite coal-fired boilers in the City of Williamsport, **Lycoming County**.

The PM emissions from the proposed boilers will be controlled by two centrifugal collectors, one per boiler. The air contaminant emissions from the boilers are not expected to exceed 91.58 tons of SO<sub>x</sub>, 15.27 tons of PM including PM<sub>10</sub>, 9.92 tons of NO<sub>x</sub>, 4.66 tons of CO and .92 ton of VOCs per year.

The facility in which the boilers will be located is not currently a major (Title V) facility for any air contaminant.

The Department of Environmental Protection's (Department) review of the information submitted by Wirerope Works, Inc. indicates that the proposed boilers should comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the applicable requirements of Subpart Dc of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.40c—60.48c (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units), and the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval for the construction of the proposed boilers.

The following is a summary of the conditions the Department proposes to place in the plan approval to ensure compliance with all applicable requirements:

1. The boilers shall only be fired on anthracite coal with a maximum sulfur content of .77% by weight (as received). The anthracite coal shall not contain any reclaimed oil, waste oil or other waste materials.

2. No more than a combined total of 6,105.6 tons of coal shall be fired in the boilers in any 12-consecutive month period.

3. Each boiler shall be equipped with a Breslove Model H-1-2RR regenerative collector to control PM emissions.

4. The PM emissions from each boiler shall not exceed .2 pound per million Btu of heat input and the total combined emission of PM from both boilers shall not exceed 15.27 tons in any 12-consecutive month period.

5. The visible air contaminant emissions from each boiler shall not equal or exceed 10% opacity for a period or periods aggregating more than 3 minutes in any 1 hour or equal or exceed 30% opacity at any time.

6. The SO<sub>x</sub> (expressed as SO<sub>2</sub>) emissions from each boiler shall not exceed 1.2 pounds per million Btu of heat input and the total combined SO<sub>x</sub> emissions from both boilers shall not exceed 91.58 tons in any 12-consecutive month period.

7. The NO<sub>x</sub> (expressed as NO<sub>2</sub>) emissions from each boiler shall not exceed .13 pound per million Btu of heat input and the total combined NO<sub>x</sub> emissions from both boilers shall not exceed 9.92 tons in any 12-consecutive month period.

8. The CO emissions from each boiler shall not exceed .061 pound per million Btu of heat input and the total combined CO emissions from both boilers shall not exceed 4.66 tons in any 12-consecutive month period.

9. The VOC emissions from each boiler shall not exceed .012 pound per million Btu of heat input then the total combined VOC emissions from both boilers shall not exceed .92 ton in any 12-consecutive month period.

10. Each of the Breslove collectors shall be equipped with instrumentation to monitor the pressure differential across the collector on a continuous basis.

11. The ash removal valves located at the bottom of the Breslove collectors' ash hoppers shall be kept closed except when accumulated ash is being removed from the hoppers. Ash shall be removed from the hoppers frequently enough to ensure that ash does not build up in the hoppers and interfere with proper collector performance and/or become reentrained in the gas stream flowing through the collector.

12. Within 180 days of commencement of operation of each of the boilers, the permittee shall perform stack testing on the respective boiler to determine the PM, NO<sub>x</sub> and CO emission rates from the boiler while it is operating at full load.

13. For each separate load of coal delivered to the facility for use in the boilers, the permittee shall obtain from the coal supplier a fuel certification report which contains the following information:

- a. The date of delivery and the name of the supplier.
- b. The results of analyses performed on the coal for sulfur content, ash content, moisture content and heat content.

c. The location of the coal when the sample was collected for the performance of the analyses listed previously.

d. Identification of the specific analytical methods used to perform the analyses listed previously.

If the coal supplier does not provide a fuel certification report for a load which contains all of this required information, the permittee shall not accept delivery of the load nor shall the permittee accept delivery of the load if the coal supplier provides a fuel certification report for the load which shows that the sulfur content of the load is in excess of .77% by weight (as received).

All data generated under this condition shall be retained for at least 5 years and shall be shown to the Department upon request. Additionally, the permittee shall submit a report to the Department semiannually.

14. The permittee shall maintain records of the amount of coal burned in each of the two boilers during each day. All data generated under this condition shall be retained for at least 5 years and shall be shown to the Department upon request. Additionally, the permittee shall submit a report to the Department semiannually.

15. The permittee shall provide coal samples to the Department upon request.

16. The permittee shall comply with all applicable requirements specified in Subpart Dc of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.40c—60.48c (Standards of Performance for Small Industrial—Commercial—Institutional Steam Generating Units).

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

**43-343A: Woodcraft Industries** (62 Grant Road, Greenville, PA 16125) for construction of a wood fired boiler, in the Township of Pymatuning, **Mercer County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a plan approval for construction of a wood fired boiler, rated at 14.33 mmBtu/hr heat input, at their facility located in the Township of Pymatuning, Mercer County. This plan approval will be incorporated into a State-only operating permit at a later date.

Issuance of the plan approval is recommended with the appropriate conditions in the plan approval:

1. This source is subject to 25 Pa. Code §§ 123.1, 123.13, 123.31 and 123.41 for fugitive, PM, odor and visible emissions, respectively.

2. The facility shall only burn hardwood sawdust and wood chips.

3. The particulate emissions shall not exceed 0.25 #/mmBtu heat input. The maximum heat input of the boiler shall not exceed 14.33 mmBtu/hr (as stated in the application).

4. The emissions from the source shall not exceed the following:

<i>Pollutant</i>	<i>Emission Rate (#/hr)</i>	<i>Emission Rate (TPY)</i>
Particulate	3.58	15.68
CO	8.6	37.7
NO <sub>x</sub>	1.43	6.3

5. A separate magnehelic gauge or equivalent shall be permanently installed and maintained at a convenient location to indicate the pressure drop across the multicline. The gauges employed shall have a scale so



that the expected normal reading shall be no less than 20% of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.

6. The source will be subject to 40 CFR Part 60.48c, Subpart Dc.

#### OPERATING PERMITS

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

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

**46-00001: Moyer Packing Co.** (741 Souder Road, Souderton, PA 18964) a renewal of their Title V Operating Permit in Franconia Township, **Montgomery County**. The initial permit was issued on August 7, 2001, and was modified on March 31, 2006. The facility is a meat-packing and rendering plant, which emits major levels of NO<sub>x</sub> and SO<sub>x</sub> from the boilers on site. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

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

**24-00012: C/G Electrodes LLC** (800 Theresia Street, Saint Marys, PA 15857-1831) for reissuance of the Title V Operating Permit in the City of Saint Marys, **Elk County**. The facility manufactures carbon and graphite products. The facility's major emission sources include storage, preheaters, screening and crushing, petroleum coke flour mill, pitch impregnation, mixer-feeder-scale, shot blast machine, material handling and screening, 48" extrusion press system, scrap electrode process, burn off oven, liquid pitch storage, air/vegetable oil quench system, pitch storage plant, coke handling plant, carbottoms, longitudinal graphitizers, 25 inch press, shot blast (LG Rods), sagger sand handling system, parts cleaning, graphite bagging system, mass bake furnaces, sagger bake furnaces and machining operation. The facility is a major facility due to its potential to emit NO<sub>x</sub> and SO<sub>x</sub>. The facility is subject to the Compliance Assurance Monitoring Rule (CAM) found in 40 CFR Part 64. Appropriate permit conditions to address the applicable CAM requirements have been included in the permit.

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

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

**61-00188: National Fuel Gas Supply Corp.—Van Compressor Station** (Route 322 West of Van, Cranberry Township, PA) for a Natural Minor Permit to operate a Natural Gas Compressor Station in Cranberry Township, **Venango County**.

**37-00121: Markovitz Enterprises Inc.—Fowline Division** (1400 New Butler Road, New Castle, PA 16107) for a natural minor permit to operate a valves and fittings production facility in New Castle City, **Lawrence County**. The facility's major emissions include a degreaser boiler, plasma torch cutting, four hand grinding

stations, a batch vapor degreaser, acid cleaning, press operations and miscellaneous natural gas fired furnaces. The facility has changed the degreasing solvent from Trichloroethylene (HAP) to n-Propyle Bromide (VOC). Thus, this facility is now natural minor.

#### COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

*Coal Applications Received*

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

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

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

\* The parameter is applicable at all times.

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

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

**32951301 and NPDES Permit No. PA0215821, Penn-American Coal, LP** (125 Old Farm Drive, Pittsburgh, PA 15239), to renew the permit for the Burrell Mine in Burrell Township, **Indiana County** and related NPDES permit. No additional discharges. Application received January 31, 2006.

**63733706 and NPDES Permit No. 0215511, Maple Creek Mining, Inc.** (1 Industrial Park, Wheeling, WV 26003), to renew the permit for the Ginger Hill Refuse Area 1 in Nottingham Township, **Washington County** and related NPDES permit. No additional discharges. Application received March 7, 2006.

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

**03860111 and NPDES Permit No. 0589144. State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Revision for auger mining and to re-activate an existing bituminous surface mine, located in East Franklin Township, **Armstrong County**, affecting 667.4 acres. Receiving streams: UNTs to Allegheny River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Revision application received on April 21, 2006.

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

**16050110 and NPDES Permit No. PA0257982. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Transfer of an existing bituminous surface strip and auger operation in Redbank Township, **Clarion County** affecting 65.0 acres. Receiving streams: UNTs to

Pine Creek, classified for the following use: CWF. The first downstream potable water supply intakes from the point of discharge are Hawthorn Municipal Authority and Redbank Municipal Authority. Transfer from H. W. Truitt Coal Company, Inc. Application received on April 19, 2006.

**61050101 and NPDES Permit No. PA0257940. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous surface strip operation in Irwin Township, **Venango County** affecting 13.1 acres. Receiving streams: UNT to Gilmore Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to add 4.1 acres to the permit area. Application received on April 19, 2006.

*Moshannon District Mining Office: 185 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.*

**17060103 and NPDES No. PA 0256340. Waroquier Coal Co.** (P. O. Box 128, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine in Goshen Township, **Clearfield County**, affecting 17.5 acres. Receiving streams: UNT to Bloody Run and UNT to Trout Run classified for the following use: CWF, HQF. There are no potable water supply intakes within 10 miles downstream. Applications received April 10, 2006.

**17060104 and NPDES No. PA0256358. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849), commencement, operation and restoration of a bituminous surface mine in Morris Township, **Clearfield County**, affecting 132.0 acres. Receiving stream: UNTs to Mo Creek; Hawk Run; Alder Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 12, 2006.

*Noncoal Applications Received Effluent Limits*

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

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity <sup>1</sup>		greater than 6.0; less than 9.0	
pH <sup>1</sup>		greater than 6.0; less than 9.0	

<sup>1</sup> The parameter is applicable at all times.

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

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

**40980301C2. Brdaric Excavating, Inc.** (913 Miller Street, Luzerne, PA 18709), depth correction to an existing quarry operation in Kingston Township, **Luzerne County** affecting 44.8 acres, receiving stream: UNTs to Susquehanna River. Application received April 13, 2006.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E39-461. Atlantic Ringer Run, LP**, 485A Route 1 South, Suite 310, Iselin, NJ 08830, in Whitehall Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with the Ringer Run Residential Development: 1) to remove the existing structure and to construct and maintain the Ringer Road Crossing of a tributary to Coplay Creek (CWF) consisting of an 18-foot by 6-foot reinforced concrete box culvert depressed one-foot below streambed elevation; 2) to construct and maintain a road crossing of a tributary to Coplay Creek consisting of a 22-foot by 6-foot reinforced concrete box culvert depressed 1 foot below streambed elevation; 3) to construct and maintain a channel change consisting of regrading and relocation of approximately 1,165 feet of a tributary to Coplay Creek; 4) to construct and maintain various stormwater outfall structures in the floodway of a tributary to Coplay Creek; 5) to construct and maintain various utility line crossings of the tributary of Coplay Creek; and 6) to fill a 0.4 acre manmade farm pond. The project is located on the west side of Ringer Road approximately 0.1 mile north of Mechanicsville Road. (Cementon, PA Quadrangle N: 4.9 inches; W: 3.3 inches).

**E39-459. Mack Resid LLC & Mack Project LLC**, 1177 Sixth Street, Whitehall, PA 18052, in City of Allentown, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To modify and maintain an existing concrete arch bridge having a 48-foot span across Trout Creek (HQ-CWF) with modifications consisting of extending the bridge approximately 16 feet upstream; to construct and maintain a 36-inch diameter RCP outfall structure with an endwall and riprap apron in the floodway of Trout Creek; and to construct and maintain an 8-inch diameter DIP waterline crossing of Trout Creek. The project is located on the east side of Mack Boulevard approximately 0.3 mile north of Dixon Street. (Allentown East, PA Quadrangle N: 15.3 inches; W: 12.5 inches).

**E39-460. Salisbury Township**, 2900 South Pike Avenue, Allentown, PA 18103, in Salisbury Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 24-inch diameter outfall structure with a riprap apron in the floodway of Trout Creek (HQ-CWF). The project is located at the south end of Gilmore Street adjacent to Trout Creek. (Allentown East, PA Quadrangle N: 15.0 inches; W: 8.7 inches).

**E39-458. SK Development Company, Inc.**, 3312 Seventh Street, Whitehall, PA 18052, in North Whitehall Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Spring Knoll Residential Subdivision: 1) a channel change consisting of rerouting a tributary of Fells Creek (HQ-CWF), having a drainage area of approximately 50 acres, around an existing pond. The channel relocation consists of 135 feet of open channel and a 399-foot stream enclosure; 2) a road crossing consisting of a 99-foot long, 36-inch diameter RCP with riprap aprons, across a tributary of Fells Creek having a drainage area of approximately 34 acres; 3) an 8-inch diameter waterline crossing of a tributary of Fells Creek; and 4) an 18-inch diameter RCP outfall structure with a riprap apron in the floodway of a tributary of Fells Creek. The project is located on the northwest side of Oakland Road approximately 0.25 mile

north of its intersection with Clearview Road. (Cementon, PA Quadrangle N: 13.7 inches; W: 8.3 inches).

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

**E21-383: Silver Spring Township**, 6475 Carlisle Pike, Mechanicsburg, PA 17055, in Silver Spring Township, **Cumberland County**, ACOE Baltimore District.

To place 90-foot wide by 720-foot long and 9-foot high fill within the right bank's 100-year floodway and floodplain of the Conodoguinet Creek (WWF) to construct a turn around lane for the existing sewage treatment plant located about 2,000 feet upstream of the Lamb's Gap Road bridge (Wertsville, PA Quadrangle N: 0.7 inch; W: 1.2 inches; Latitude: 40° 15' 14"; Longitude: 77° 00' 31") in Silver Spring Township, Cumberland County.

**E05-332: Richard E. Baum, Jr.**, 333 Church Road, Shermansdale, PA 17090 in Carroll Township, **Perry County**, ACOE Baltimore District.

To install a 12 foot by 7 foot precast concrete box culvert depressed 1 foot in a UNT to Shermans Creek (WWF), located 35 feet upstream of Sleepy Hollow Road existing 10-foot by 7-foot CMPA on Shermans Dale, PA Quadrangle, Latitude: 40° 21' 35"; Longitude: 77° 08' 33", N: 19.9 inches, W: 2.5 inches in Carroll Township, Perry County.

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

**E14-484. Houtzdale Municipal Authority**, 561 Kirk Street, Houtzdale, PA 16651-1209. Moshannon Creek and Henderson Area Water System Improvements Rush Township, **Centre County**, ACOE Baltimore District (Houtzdale, PA Quadrangle N: 6.92 inches; W: 12.85 inches).

To construct, operate and maintain a surface water intake, raw water transmission lines and treated drinking water distribution lines to extend and supplement the Houtzdale Municipal Authority's existing public drinking water supplies. Construction of the surface water intake, raw water transmission lines and treated drinking water distribution lines will result in a raw water transmission line crossing Moshannon Creek (TSF). All raw water transmission and treated drinking water distribution lines shall be installed beneath streambeds so there will be a minimum of 3-feet of cover between the top of the pipe and the lowest point in the streambed or concrete encased. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. Construction of the surface water intake and monitoring weir shall be conducted during stream low flow and in dry work conditions by dams and pumping or fluming stream flow around work area. Since Moshannon Creek is a wild trout stream, no construction or future repair work of the surface intake and monitoring weir shall be done in or along the stream channel between October 1 and December 31 without the prior written approval of the Fish and Boat Commission. In its entirety, the project will only temporarily impact 1,400 square feet of wetland while permanently impacting 255 feet of waterway that is located along eastern right-of-way of SR 0153 approximately 1.2 miles east of Woodward Township (Clearfield County) Road T-650 and SR 0153.

**E17-415. Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street, Clearfield, PA 16830. Realignment of Water Street and Construction of a Flood Control Levee, in Westover Borough, **Clearfield County**, ACOE Baltimore District (Westover, PA Quadrangle N: 0.45 inch; W: 5.90 inches).

To relocate Westover Borough Water Street; to construct, operate and maintain 1,400 feet of earthen levee within the 100-year floodplain of Chest Creek (CWF); and to install, operate and maintain rock scour protection at SR 3006 Bridge abutments for flood protection. The earthen levee shall be constructed with side slopes that shall not exceed 2 feet horizontal to 1 foot vertical, a top width no less than 10 feet and an elevation that provides for 1 foot of freeboard during the 100-year frequency flood. The project will permanently impact 0.016 acre of wetland and 75 feet of Chest Creek that is located along the eastern right-of-way of SR 0036 upstream of SR 3006 and SR 0036 intersection. The Department deems the 0.016 acre of wetland permanently impacted by the project de minimis, and as such the permittee shall not be required to mitigate the impact with replacement wetlands. This permit also authorizes construction, operation, maintenance and removal of temporary cofferdams or stream diversions for the installation of the rock scour protection. Installation of the rock scour protection shall be completed during stream low flow and dry work conditions by diverting stream flow around work area. Demolition of all structure between Chest Creek and the levee shall include any existing septic tanks or other waste disposal facilities. All demolition waste, including septic tanks shall be properly removed, handled and disposed to eliminate any future public health risk.

**E41-565. Ronald Tenerovich**, 812 Bush Hill Road, Williamsport, PA 17701. Water Obstruction and Encroachment Joint Permit Application, in Plunketts Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Barbours, PA Quadrangle N: 9.90 inches; W: 5.15 inches).

To construct and maintain a 36-foot by 12-foot steel I-beam bridge on a skew of 70° with an underclearance of 9.5 feet over Plunketts Creek, 1.2 miles northeast of the intersection of SR 1005 and SR 1006 along SR 1006. This project proposes to permanently impact 30 linear feet of Plunketts Creek, which is designated a HQ-CWF stream and does not propose to impact any jurisdictional wetlands.

**E53-410. Potter County Conservation District**, 107 Market Street, Coudersport, PA 16915, Genesee River Stabilization Project (Perry-Cornell-Slawson Site) in Genesee Township, **Potter County**, ACOE Pittsburgh District (Ulysses, PA Quadrangle N: 18.5 inches; W: 15.0 inches).

To restore a reach of the Genesee River (CWF) by constructing, operating and maintaining a minimum of four rock straight vanes, four root-wads and 175 feet of rock toe protection for the stabilization of 480 feet of eroded stream bank. All in-stream activity and structures shall be constructed in minimum stream flow conditions needed to establish stream centerline, as well as from the stream bank to the fullest extent possible. Since the Genesee River is a STF, no construction of future repair work shall done in or along the stream channel between March 1 and June 15 without the prior written approval of the Fish and Boat Commission. The project will not impact wetlands while temporarily impacting 480 feet of the Genesee River that is located along the eastern

right-of-way of SR 0449 approximately 1,200 feet north of Township Road 411 and SR 0449 intersection near the Village of Hickox.

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

**E02-1529. Blackwood Acres Associates, LP**, 1001 Corporate Drive, Suite 230, Canonsburg, PA 15317. To place fill in wetlands in the Borough of Jefferson Hills, **Allegheny County**, Pittsburgh ACOE District. (Glassport, PA Quadrangle N: 12.0 inches; W: 7.5 inches and Latitude: 40° 18' 21"—Longitude: 79° 58' 12"). The applicant proposes to place and maintain fill in 0.188 acre of wetlands and place fill in two UNTs to Lick Run (TSF) for the purpose of constructing a 46-acre residential development Blackwood Pointe in the Borough of Jefferson Hills.

**E02-1530. Department of Transportation, Engineering District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017. To replace an access ramp in Bridgeville Borough and South Fayette Township, **Allegheny County**, Pittsburgh ACOE District. (Bridgeville, PA Quadrangle N: 19.6 inches; W: 16.6 inches and Latitude 40° 21' 30"—Longitude: 80° 07' 05"). The applicant proposes to construct and maintain an approximately 575 feet long, 35 feet wide elevated, replacement access ramp to SR 79 from SR 8003 over Chartiers Creek (WWF) with a drainage area of 163.7 square miles for the purpose of meeting roadway standards. The access ramp will be elevated approximately 40 feet above the 100-year flood elevation of Chartiers Creek. A roadway support pier will be placed in the northern floodway fringe and a total of approximately 250 feet of associated scour protection will be placed from both banks through the floodway fringe of Chartiers Creek. The project is associated with ongoing improvements to SR 79 and is located on the border of Bridgeville Borough and South Fayette Township.

**E26-335. Department of Transportation, Engineering District 12-0**, P. O. Box 459 Uniontown, PA 15401. To construct a culvert and stream relocation with wetland fills in Luzerne Township, **Fayette County**, Pittsburgh ACOE District. (Project begins: Carmichaels, PA Quadrangle N: 16.9 inches; W: 5.4 inches and Latitude: 39° 57' 51"—Longitude: 79° 54' 30" and ends at Carmichaels, PA Quadrangle N: 19.2 inches; W: 4.5 inches and Latitude: 39° 58' 12"—Longitude: 79° 54' 30"). The applicant proposes to construct and maintain a 150 LF stream relocation in Cox Run (WWF) with a drainage area of 1.52 square miles. The applicant also proposes to construct and maintain a 90 LF, 48-inch diameter concrete culvert; construct and maintain 140 LF of adjoining stream relocation; fill and maintain 180 LF of adjoining stream channel; and fill and maintain an adjoining 0.03 acre of de minimis PEM wetland located in a UNT to Cox Run with a drainage area of less than 100 acres. This project is associated with the widening and improvements to a 3.2 mile long section of SR 4003 located and centered approximately 5 miles southwest of Brownsville, PA. Total proposed impacts are approximately 560 ft. of stream channel and 0.03 acre of de minimis wetland.

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

**E10-419. Cranberry Township**, 2525 Rochester Road, Suite 400, Cranberry Township, PA 16066. Graham Park, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Baden, PA Quadrangle N: 40° 42' 34"; W: 80° 07' 52").

To conduct activities associated with the construction of Graham Park, a municipal recreational, athletic facility on a 112-acre site, north of Rochester Road and east of Powell Road:

1. Impact .665 acre of four existing wetlands (PEM/PSS/PFO) for grading of the ball fields and other impacts.
2. Construct and maintain a 37.3-foot long Con/Span precast concrete arch culvert, having a span of 42 feet and a rise of 11 feet across Brush Creek for construction of Graham Park Drive.
3. To construct and maintain a 76-foot long aluminum box culvert, having a span of 13 feet and a rise of 3 feet across a tributary to Brush Creek (Tributary 4) on Graham Park Drive.
4. To construct and maintain a 580-foot long, 36-inch diameter stream enclosure in a tributary to Brush Creek (Tributary 5) having a drainage of less than 100 acres for construction of a sports field.
5. To construct and maintain a 63.5-foot long aluminum box culvert, having a span of 17.75 feet and a rise of 3.8 feet in a tributary to Brush Creek (Tributary 6) on Graham Park Drive.
6. To construct and maintain a 47-foot long, 30-inch diameter HDPE pipe culvert in a tributary to Brush Creek (Tributary 4) for a pedestrian trail.
7. To construct and maintain twin 43-foot long, 42-inch diameter HDPE pipe culverts in a tributary to Brush Creek (Tributary 6) for a pedestrian trail.
8. To conduct fill and grading within the 100-year floodplain and floodway involving a total of approximately 6,000 foot reach of Brush Creek and tributaries for construction of athletic fields, roadways, pedestrian trail and an off-stream pond.
9. Construct and maintain a total of 18 utility line crossings of Brush Creek, tributaries to Brush Creek and various wetlands.
10. Construct and maintain six storm water outfalls to Brush Creek and tributary to Brush Creek (Tributary 4).

This project proposes the following measures and/or activities as onsite mitigation for the project impacts:

1. To construct and maintain a total of 650 linear feet of stream bank stabilization/restoration at two locations along Brush Creek.
2. Construction of 0.80-acre replacement wetland adjacent to an existing wetland (Wetland 7).
3. Conduct approximately 150 linear feet of stream enhancement along Brush Creek.
4. Conduct approximately 400 linear feet of stream enhancement along a tributary to Brush Creek (Tributary 4).
5. Establish approximately 9,000 linear feet of Conservation Easement along the undisturbed corridor of Brush Creek.

Establish approximately 5,020 linear feet of Conservation Easements on the undisturbed corridors of tributaries to Brush Creek.

**E20-546. Lakeside Holdings, LLC**, 11095 State Highway 18, Conneaut Lake, PA 16316. Lakeside Villas Wetland Fill, in Sadsbury Township, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 21.1 inches; W: 5.5 inches).

The applicant proposes to fill a 0.14-acre vernal pool wetland to construct homes on existing lots within an existing residential subdivision. Project includes replacement of 0.152 acre of wetland approximately 1 mile from the proposed fill. The project proposes to directly impact 0.14 acre of wetlands.

#### DAM SAFETY

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

**D14-105. Department of Conservation and Natural Resources, Bureau of Facility Design, P. O. Box 8451, Harrisburg, PA 17105-8451.**

To modify, operate and maintain Poe Valley State Park Dam across Big Poe Creek (HQ-CWF), impacting 0.009 acre of wetlands (Palustrine emergent) and 60 feet of stream and providing 9 acres of wetland mitigation, for the purpose of meeting current dam safety standards.

Proposed modifications to the dam include: (1) roller-compacted concrete armoring of the crest and downstream slope of the earthen dam; (2) slip lining of the outlet conduit; (3) repair of the overflow spillway; and (4) replacement of the control tower. As part of the same project, the applicant will rehabilitate, improve and extend an existing boat ramp, located along the northern shore of the lake, approximately 1,500 feet upstream of the dam (Coburn, PA Quadrangle N: 13.2 inches; W: 13.0 inches) in Penn Township, Centre County.

**D17-121. Grampian Borough, Penn Street, P. O. Box 298, Grampian, PA 16838.** Description: To operate and maintain Grampian Community Park Dam across a tributary to Kratzer Run (CWF), impacting 100 feet of stream for the purpose of temporary impoundment of the stream during June or July for aesthetics during the annual "Grampian Days" event in Curwensville, PA Quadrangle N: 16.9 inches; W: 0.95 inch) in Grampian Borough, Clearfield County.

## ACTIONS

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

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

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

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

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

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

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

**I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0086045 (Sewage)	David Rimmel Castle Hill Mobile Home Park 20 Erford Road, Suite 215 Lemoyne, PA 17043	Adams County Straban Township	UNT Rock Creek 13-D	Y
PA0082201 (Sewage)	Ray J. Heisey Letterkenny Township Municipal Authority 4924 Orrstown Road Orrstown, PA 17244-9503	Franklin County Letterkenny Township	Conodoguinet Creek 7-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0093955 Sewage	William T. and Christine D. O'Brien 103 October Drive Butler, PA 16002	Somerset County Middlecreek Township	UNT of Laurel Hill Creek	Y
PA0218715 Sewage	Gardco, LLC R. D. 3, Box 382, Route 66 Ford City, PA 16226	Armstrong County Manor Township	Crooked Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0102482	Green Acres Mobile Home Park 797 Pittsburgh Road Butler, PA 16002	Penn Township Butler County	UNT to Glade Run 20-C	Y
PA0034568	Cunningham, Inc.—Harbor Terrace Mobile Home Park 1650 Harlansburg Road New Castle, PA 16101	Union Township Lawrence County	UNT to Shenango River 20-A	Y
PA0104132	North Suburban Land Co., Inc.—Rock Lake North 9900 McKnight Road, Suite 207 Pittsburgh, PA 15237-6007	Jackson Township Butler County	UNT to Glade Run 20-C	Y
PAG048751	Paul M. Miller 37 Kitch Road Greenville, PA 16125	Otter Creek Township Mercer County	UNT to the Little Shenango River 20-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0008737	Dominion Transmission, Inc. Leidy Compressor Station 445 West Main Street Clarksburg, WV 26701	Clinton County Leidy Township	Headwaters of Drury Run 9-B	Y

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

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

**NPDES Permit No. PA0243914**, Industrial Waste, **Delaware Valley Concrete Company Inc.—Conshohocken Batch Plant**, 248 East County Line Road, Hatboro, PA 19040. This proposed facility is located in Plymouth Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the discharge of stormwater into the Schuylkill River (PA Stream Code 833) in Watershed 3F-Lower Schuylkill.

**NPDES Permit No. PA0058980**, Industrial Waste, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in Plumstead Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the discharge of stormwater into Pine Run (PA Stream Code 2790) in Watershed 2F-Neshaminy.

**NPDES Permit No. PA0058971**, Industrial Waste, **JDM Materials Company**, 851 County Line Road, Huntington Valley, PA 19006. This proposed facility is located in Middletown Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the discharge of stormwater from a Ready-Mix Concrete Batch plant property into Mill Creek (PA Stream Code 2916 in Watershed 2F-Neshaminy).

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

**NPDES Permit No. PA0085600, Amendment No. 1**, Sewage, **Ronald Freshley, Ono Industries, Inc.**, Route 22 West, P. O. Box 150, Ono, PA 17077-0150. This proposed facility is located in East Hanover Township, **Dauphin County**.

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

**NPDES Permit No. PA0247669**, Sewage, **David Bomberger, John Groninger, Inc** (Arch Rock Development), P. O. Box 36, Mexico, PA 17056. This proposed facility is located in Fermanagh Township, **Juniata County**.

Description of Proposed Action/Activity: Authorization to discharge to Horning Run in Watershed 12-A.

**NPDES Permit No. PA00879871, Amendment No. 1**, Industrial Waste, **John Montgomery, Bedford Borough Water Authority**, 244 West Penn Street, Bedford, PA 15522. This proposed facility is located in Bedford Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Raystown Branch Juniata River in Watershed 11-C.

**NPDES Permit No. PA0087777**, Industrial Waste, **Richard Valko, Wernersville State Hospital**, P. O. Box 300, Wernersville, PA 19565-0300. This proposed facility is located in South Heidelberg Township, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to discharge to Hospital Creek in Watershed 3-C.

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

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

**WQM Permit No. WQG02460611**, Sewerage, **Stowe Crossing, LLC.**, 515 Old Swede Road, Douglasville, PA 19518. This proposed facility is located in West Pottsgrove Township, **Montgomery County**.

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

**WQM Permit No. 0996401**, Sewerage, **Solebury School**, P. O. Box 429, New Hope, PA 18938-0429. This proposed facility is located in Solebury Township, **Bucks County**.

Description of Action/Activity: Modifications to existing Wastewater Treatment Plant.

**WQM Permit No. 2305406**, Sewerage, **Delaware County Regional Control Authority**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999. This proposed facility is located in Sharon Hill Borough, **Delaware County**.

Description of Action/Activity: Upgrades to the Darby Creek Pump Station.

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

**WQM Permit No. 3406401**, Sewerage, **David Bomberger, John E. Groninger, Inc.** (Arch Rock Development), P. O. Box 36, Mexico, PA 17056. This proposed facility is located in Fermanagh Township, **Juniata County**.

Description of Proposed Action/Activity: Approval of the construction/operation of sewerage facilities consisting of a package sewage treatment system to serve Arch Rock Development.

**WQM Permit No. 3606201**, CAFO, **Rohrer Farms, LLC**, 762 West Lexington Road, Lititz, PA 17543. This proposed facility is located in Penn and Warwick Townships, **Lancaster County**.

To make structural improvements to shallow pit manure management facilities associated with three existing swine barns, and to install monitoring wells for evaluating the continued performance of the facilities.

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

**WQM Permit No. 0300401-A2**, Sewerage, **Gardco, LLC**, R. D. 3, Box 382, Route 66, Ford City, PA 16226. This proposed facility is located in Manor Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit issuance for modifications to the existing sewage treatment plant.

**WQM Permit No. 467S028-A3**, Sewerage, **McCandless Township Sanitary Authority**, 418 Arcadia Drive, Pittsburgh, PA 15237-55979. This proposed facility is located in McCandless Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the upgrade and expansion of Longvue No. 1 sewage treatment plant including replacing the existing activated sludge plant with sequencing batch reactors.

**WQM Permit No. 6505406**, Sewerage, **Latrobe Municipal Authority**. This proposed facility is located in Latrobe Borough, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the replacement and operation of a pump station and force main at Joanne Drive Pump Station.

**WQM Permit No. 6505408**, Sewerage, **Carol Brode**, 100 Small Road, Jeannette, PA 15644. This proposed facility is located in Penn Township, **Westmoreland County**.



Description of Proposed Action/Activity: Permit issuance for construction of a small flow sewage treatment plant.

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PA0054712 Amendment No. 1	City of Philadelphia ARAMARK Tower 1101 Market Street, 4th Floor Philadelphia, PA 19107-2994	Philadelphia	Philadelphia	Wissahickon, Pennypack, Poquessing, Tacony/Frankford, Cobbs and Monoshone Creeks Schuylkill River and Delaware Estuary

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

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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).

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#### List of NPDES and/or Other General Permit Types

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

*General Permit Type—PAG-2*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Moore Township Northampton County	PAG2004806011	K & S Development Attn: Steve Yavorski 3151 Applebutter Rd. Danielsville, PA 18038	Hokendauqua Creek CWF	Northampton County Conservation District (610) 746-1971
City of Nanticoke Newport Township Luzerne County	PAG2004005058	HUD, Inc. 200 East Front St. Nanticoke, PA 18634	Newport Creek CWF	Luzerne County Conservation District (570) 674-7991
City of Scranton Lackawanna County	PAG2003506006	Paul Talerico North South Rd. Scranton, PA 18504	Scranton Sewer Auth. Lackawanna River CWF	Lackawanna County Conservation District (570) 281-9495

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Washington Township Schuylkill County.	PAG2005405036	Heather Horning and Bobbi Jean Fasnacht 67 Frantz St. Pine Grove, PA 17963	300-foot tributary to Lower Little Swatara Creek CWF	Schuylkill County Conservation District (570) 622-3742
Westfall Township Pike County	PAG2005205001	Rivers Edge, LP 553 Broadway Massapequa, NY 11758	Delaware River WWF, MF	Pike County Conservation District (570) 226-8220
South Waverly Borough Bradford County	PAG2000806003	Brett Millett Millett Realty 101 Old Lackawanna Trail Clarks Summit, PA 18411	Dry Brook WWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5, Box 5030C Towanda PA 18848 (570) 265-5539, Ext. 205
Fairfield and Muncy Townships Lycoming County	PAG2004106002	Turkey Run Partners George Logue 1500 Sycamore Rd. Montoursville, PA 17754	Turkey Run WWF	Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754
Muncy Creek Township Lycoming County	PAG2004106003	Department of Transportation 715 Jordan Ave. P. O. Box 218 Montoursville, PA 17754	Little Muncy Creek CWF	Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754
Elkland Borough and Osecola Township	PAG2005906006	Department of Transportation 715 Jordan Ave. P. O. Box 218 Montoursville, PA 17754	Cowanesque River CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901
Beaver County Harmony Township	PAG2000406006	Edward J. Kappler Duquesne Light Company 1800 Seymour St. Pittsburgh, PA 15233	Ohio River (WWF)	Beaver County Conservation District (724) 378-1701
Indiana County Conemaugh Township	PAG2003206001	Arthur Grguric Blacklegs Creek Watershed Association P. O. Box 59 Clarksburg, PA 15725	Big Run Creek (CWF)	Indiana County Conservation District (724) 463-8547
Butler County Adams Township	PAG2001006004	Kenneth Brennan Brennan Builders, Inc. 120 Brennan Lane Evans City, PA 16033 Village at Treesdale	UNT Breakneck Creek WWF	Butler Conservation District (724) 284-5270

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Macungie Township Lehigh County	PAR802251	Laidlaw Transit, Inc. Terminal 527 3130 Route 100 Macungie, PA 18062	Spring Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Moore Township Northampton County	PAR802252	Laidlaw Transit, Inc. Terminal 529 3354 Beersville Road Northampton, PA 18067	UNTs to Lehigh River CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Lehigh Township Northampton County	PAR802253	Laidlaw Transit, Inc. Terminal 529A 4181 Lehigh Drive Cherryville, PA 18035	UNTs to Lehigh River CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Upper Saucon Township Lehigh County	PAR802254	Laidlaw Transit, Inc. Terminal 530 155 Preston Lane Center Valley, PA 18034	Saucon Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
City of Allentown Lehigh County	PAR802255	Laidlaw Transit, Inc. Terminal 534 1812 S. 12th Street Allentown, PA 18105	Trout Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Slatington Borough Lehigh County	PAR802256	Laidlaw Transit, Inc. Terminal 533 1 Bulldog Lane Slatington, PA 18080	Lehigh River WWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Adams County Littlestown Borough	PAR203502	Littlestown Foundry, Inc. P. O. Box 69 150 Charles Street Littlestown, PA 17340	Piney Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-4**Facility Location:  
Municipality & County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hermitage City Mercer County	PAG049235	James and Kim Springer 6145 Wise Road Hermitage, PA 16148	UNT to the West Branch Little Neshannock Creek 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-5**Facility Location &  
Municipality*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
North Huntingdon Township Westmoreland County	PAG056212	BP Products North America 1 West Pennsylvania Avenue Suite 900 Towson, MD 21204-5025	UNT to Tinkers Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-7*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County East Donegal Township	PAG073511	Mount Joy Borough Authority 21 East Main Street Mount Joy, PA 17552		DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Huntingdon County Springfield Township	PAG083595	Spring Creek Joint Sewer Authority P. O. Box 373 Three Springs, PA 17264	Randy Anderson Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Juniata County Walker Township	PAG083594	Port Royal Municipal Authority P. O. Box 236 Port Royal, PA 17082	Samuel Kint Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-9 (SSN)*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Cumberland County Lower Frankford Township	PAG093513	D.E.W. and Sons Septic Service 414 Roxbury Road Newville, PA 17241	Robert Brownnewell Home Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act

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

#### Permit Minor Amendment, Public Water Supply.

Applicant	<b>Lehigh County Authority (Central Lehigh Division)</b> Upper Macungie Township <b>Lehigh County</b>
Responsible Official	Steve Repasch Lehigh County Authority P. O. Box 3348 1053 Spruce Street Allentown, PA 18106-0348 (610) 398-2503
Type of Facility	Community Water System
Permit Issuance Date	April 10, 2006
Description of Action	PWS permit amendment for repainting and repair of the Fogelsville Reservoir No. 1 finished water storage tank.

**Permit Minor Amendment, Public Water Supply.**  
 Applicant **Lehigh County Authority**  
 North Whitehall Township  
**Lehigh County**

Responsible Official Steve Repasch  
 Lehigh County Authority  
 P. O. Box 3348  
 1053 Spruce Street  
 Allentown, PA 18106-0348  
 (610) 398-2503

Type of Facility Community Water System  
 Permit Issuance Date April 10, 2006  
 Description of Action PWS permit amendment for repainting and repair of the Schnecksville North Reservoir finished water storage tank.

**Permit Minor Amendment, Public Water Supply.**  
 Applicant **Lehigh County Authority (Central Lehigh Division)**  
 Upper Macungie Township  
**Lehigh County**

Responsible Official Steve Repasch  
 Lehigh County Authority  
 P. O. Box 3348  
 1053 Spruce Street  
 Allentown, PA 18106-0348  
 (610) 398-2503

Type of Facility Community Water System  
 Permit Issuance Date April 10, 2006  
 Description of Action PWS permit amendment for repainting and repair of the Breinigsville Reservoir No. 2 finished water storage tank.

**Permit Minor Amendment, Public Water Supply.**  
 Applicant **Lehigh County Authority (Central Lehigh Division)**  
 Upper Macungie Township  
**Lehigh County**

Responsible Official Steve Repasch  
 Lehigh County Authority  
 P. O. Box 3348  
 1053 Spruce Street  
 Allentown, PA 18106-0348  
 (610) 398-2503

Type of Facility Community Water System  
 Permit Issuance Date April 10, 2006  
 Description of Action PWS permit amendment for repainting and repair of the Breinigsville Reservoir No. 3 finished water storage tank.

**Permit No. 2450119, Public Water Supply.**  
 Applicant **Pennsylvania-American Water Company**  
 Middle Smithfield Township  
**Monroe County**

Responsible Official Nick Rowe, VP Service Delivery  
 Pennsylvania-American Water Company  
 800 West Hersheypark Dr.  
 Hershey, PA 17033

Type of Facility PWS  
 Consulting Engineer William Malos, P. E.  
 Pennsylvania-American Water Company  
 100 Pennsylvania Avenue  
 Wilkes-Barre, PA 18701

Permit Issue Date April 14, 2006  
 Description of Action Operations permit for Pennsylvania-American Water Company Mid-Monroe Tank 003

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

**Operations Permit** issued to **West Manchester Township Authority**, 7670101, West Manchester Township, **York County** on 4/20/2006 for the operation of facilities approved under Construction Permit No. 6704507 MA.

**Operations Permit** issued to **Wells Tannery Water System**, 4290003, Wells Township, **Fulton County** on 4/24/2006 for the operation of facilities approved under Construction Permit No. 2904501.

**Operations Permit** issued to **Wissahickon Spring Water, Inc**, Hamburg Borough, **Berks County** on 4/20/2006 for the operation of facilities approved under Construction Permit No. 0605526 MA.

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

**Permit No. 1805502—Operation Public Water Supply.**

Applicant **Eastville Community Water Association**

Township or Borough Greene Township  
 County **Clinton**

Responsible Official Ken Geisewite, President  
 Eastville Community Water Association  
 2290 East Winter Road  
 Loganton, PA 17747

Type of Facility Public Water Supply—Operation  
 Consulting Engineer David Horst, P. E.  
 Alfred Benesch & Company  
 400 One Norwegian Plaza  
 P. O. Box 1090  
 Pottsville, PA 17901

Permit Issued Date 4/20/06  
 Description of Action Authorizes operation of Well No. 1.

**Permit No. 0889507-T1—Transfer/Operation Public Water Supply.**

Applicant **Kerry View Mobile Home Park**

Township or Borough Columbia Township  
 County **Bradford**

Responsible Official Thomas Calaman  
 Kerry View Mobile Home Park  
 4 Porter Place  
 Towanda, PA 18848

Type of Facility Public Water  
 Supply—Transfer/Operation

Consulting Engineer N/A

Permit Issued Date 4/24/06

Description of Action Authorizes transfer and  
 operation of the park's water  
 system.

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

**Operations Permit** issued to **Indian Creek Valley  
 Water Authority**, P. O. Box 486, Indian Head, PA 15446-  
 0486, (PWS ID 5260011) Saltlick Township, **Fayette  
 County** on April 24, 2006 for the operation of facilities  
 approved under Construction Permit No. 2605501.

**Operations Permit** issued to **Municipal Authority  
 of the City of New Kensington**, P. O. Box 577, 920  
 Barnes Street, New Kensington, PA 15068, (PWS ID  
 5650070) City of New Kensington, **Westmoreland  
 County** on April 24, 2006 for the operation of facilities  
 approved under Construction Permit No. 6598502.

**Permit No. 1191501T1, Minor Amendment.** Public  
 Water Supply.

Applicant **Marshall Pointe Real Estate,  
 LLC**  
 P. O. Box 451  
 Hershey, PA 17033

Borough or Township East Carroll Township

County **Cambria**

Type of Facility Kings Mobile Home Park

Permit to Operate April 24, 2006  
 Issued

**Permit No. 1191501-A1T1, Minor Amendment.** Pub-  
 lic Water Supply.

Applicant **Marshall Pointe Real Estate,  
 LLC**  
 P. O. Box 451  
 Hershey, PA 17033

Borough or Township East Carroll Township

County **Cambria**

Type of Facility Kings Mobile Home Park

Permit to Operate April 24, 2006  
 Issued

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

*Southcentral Region: Water Management Program Man-  
 ager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Greene Township	1145 Garver Lane Scotland, PA 17254	Franklin

*Plan Description:* The approved plan provides for a  
 sewer extension to serve 19 existing single family resi-  
 dences and one small business on Hafer Road. Flows will  
 be 8,000 gpd. Greene Township Municipal Authority will  
 provide collection and conveyance of the flows, with  
 treatment at the Borough of Chambersburg Wastewater  
 Treatment Plant. The Department's review of the sewage  
 facilities update revision has not identified any significant  
 environmental impacts resulting from this proposal.  
 WQM Permits must be obtained in the name of the  
 Authority.

*Northcentral Region: Water Management Program Man-  
 ager, 208 West Third Street, Williamsport, PA 17701.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Muncy Creek Township	Muncy Creek Township Supvs. c/o Cindy Newcomer, Secy. 575 Route 442 Highway Muncy, PA 17756	Lycoming

*Plan Description:* The approved plan provides for a  
 1,200 foot gravity sewer extension to serve six houses,  
 several of which currently have onlot malfunctions. The  
 proposed extension is on Clarkstown Road west of Fogel-  
 man Road and will connect to the existing system at the  
 intersection of Clarkstown and Fogelman Roads. The  
 sewage will be conveyed through the existing Muncy  
 Creek Township sewer system, to Muncy Borough and  
 treated at Muncy Borough's sewage treatment plant. The  
 Department's review of the sewage facilities update re-  
 vision 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 (Depart-  
 ment) to publish in the *Pennsylvania Bulletin* a notice of  
 submission of plans and reports. A final report is sub-  
 mitted 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 se-  
 lecting the environmental media of concern, documenta-  
 tion supporting the selection of residential or nonresiden-  
 tial exposure factors, a description of the remediation  
 performed and summaries of sampling analytical results  
 which demonstrate that remediation has attained the  
 cleanup standard selected. Submission of plans and re-  
 ports, other than the final report, shall also be published  
 in the *Pennsylvania Bulletin*. These include the remedial  
 investigation report, risk assessment report and cleanup

plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Route 322 and Skelp Level Rd.**, East Bradford Township, **Chester County**. Jim Arthur, Env., Standards, 1140 Valley Forge Rd., Valley Forge, PA 19482 on behalf of Lara Herzig, PECO Energy Co., 2301 Market St., Philadelphia, PA 19101 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standard.

**Umbria Street Prop.**, City of Philadelphia, **Philadelphia County**. Paul Martino, P. G., 3001 Market St., Philadelphia, PA 19102 has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with PAH's and chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standards.

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

**Sunbury Textile Mills Sites 4 and 5**, City of Sunbury, **Northumberland County**. GEOSYNTEC CONSULTANTS, 130 Research Lane, Suite 2, Guelph, Ontario N1G 5G3, Canada, on behalf of Sunbury Textile Mills, 1200 Miller St., Sunbury, PA 17801 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents and PHCs. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Pennsylvania Air National Guard Station (former)**, College Township, **Centre County**. CH2M HILL, 1700 Market St., Suite 1600, Philadelphia, PA 19103 on behalf of United States Air National Guard, 3500 Fetchet Ave., Andrews Air Force Base, MD 20762-5157 has submitted a Final Report concerning remediation of site groundwater contaminated with trichloroethene (TCE). The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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**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).**

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

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

The Department has received the following plans and reports:

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

**Holloway Res.**, Willistown Township **Chester County**. Richard D. Trimpi, Trimpi Assoc., Inc, 1635 Old Plains Rd., Pennsburg, PA 18073 on behalf of Gary and Pat Holloway, 766 South Warren Ave., Malvern, PA 19355 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 22, 2006.

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

**Former Exxon Station 2-0312**, City of Altoona, **Blair County**. Groundwater and Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, on behalf of Frank Rabits, Rabits Auto Repair, 908 East Plank Road, Altoona, PA 16602 and Exxon Mobil Corporation, 7715 Crittenden Street, No. 309, Philadelphia, PA 19118-4421, submitted a remedial investigation report, risk assessment report, cleanup plan and Final Report, concerning remediation of site soils and groundwater contaminated with BTEX. The reports did not demonstrate attainment of an Act 2 standard, and was disapproved by the Department on April 17, 2006.

**IFS Industries, former Prizer Painter Stove Works, Inc.**, City of Reading, **Berks County**. Golder Associates, Inc., 1951 Old Cuthbert Road, Suite 301, Cherry Hill, NJ 08034, on behalf of IFS Industries, Inc., 400 Orrton Avenue, Reading, PA 19603 and Prizer Painter Stove Works, Inc., 600 Arlington Street, Reading, PA 19603, submitted a Remedial Investigation Report and a Cleanup Plan concerning remediation of site soils and groundwater contaminated with metals, naphthalene and VOCs. These documents were approved by the Department on April 24, 2006. The site will be remediated to a combination of Statewide Health and Site-Specific Standards.

**Dauphin Oil Company—Station 3**, Carlisle Borough, **Cumberland County**. Environmental Remediation & Recovery, Inc., 5719 Route 6N, Edinboro, PA 16412 on behalf of Dauphin Oil Company, 815 Newville Road, Carlisle, PA 17013, submitted a combined remedial investigation and Final Report concerning remediation of site soils and groundwater contaminated with petroleum hydrocarbons. The Final Report demonstrated attainment of a combination of the nonresidential Statewide Health and Site-Specific Standards, and was approved by the Department on April 24, 2006

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Draft permits issued, revised or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage or disposal facility.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit Application No. PAD087561015. Inmetco**, 245 Portersville Road, Ellwood City, PA 16117, Ellwood City Borough, **Lawrence County**. RCRA Part B Hazardous Waste Renewal and Modification Application. Draft permit issued on April 20, 2006.

## AIR QUALITY

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

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

**09-320-060GP: Pyramid Graphics** (1021 Washington Avenue, Croydon, PA 19021) on April 21, 2006, to operate a lithographic printing press in Bristol Township, **Bucks County**.

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

**58-310-009GP3: Reading Materials, Inc.** (P. O. Box 1467, Skippack, PA 19474) on April 24, 2006, to construct and operate a portable stone crushing plant and associated air cleaning device at their BS Stone facility on Carey Road, New Milford Township, **Susquehanna County**.

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

**GP-25-892: Norse Pipeline LLC—Union City Compressor Station** (Concord Road, Union City, PA 16438) on April 30, 2006, for a natural gas compressor engine in Union Township, **Erie County**.

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

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

**09-0174: Liberty Coating Co. LLC** (21 South Steel Road, Morrisville, PA 19067-3614) on April 21, 2006, to operate the existing blasting and surface coating operations in Falls Township, **Bucks County**.

**46-0014F: Knoll, Inc.** (1235 Water Street, East Greenville, PA 18041) on April 24, 2006, to operate a cyclone dust collector in Upper Hanover Township, **Montgomery County**.

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

**54-303-017: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) on April 18, 2006, to replace an air cleaning device and to use alternate fuels on the existing batch asphalt plant at the Summit Station Facility, Wayne Township, **Schuylkill County**.

**13-399-011: Altadis USA, Inc.** (1000 Tresckow Road, McAdoo, PA 18237) on April 18, 2006, to modify a tobacco processing area and associated air cleaning device in Banks Township, **Carbon County**.



**48-311-005: Oldcastle APG Northeast, Inc.** (800 Uhler Road, Easton, PA 18040) on April 17, 2006, to construct a concrete block manufacturing plant and associated air cleaning device in Forks Township, **Northampton County**.

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

**01-05017D: Quebecor World Fairfield, Inc.** (100 North Miller Street, Fairfield, PA 17320-9707) on April 20, 2006, to construct two 2-unit double web heatset offset lithographic printing presses (Web Press Nos. 9 and 10) and to install a regenerative thermal oxidizer at their Fairfield Plant in Fairfield Borough, **Adams County**.

**06-03132: Ernst Cabinet Works, Inc.** (51 Primrose Street, Hamburg, PA 19526) on April 20, 2006, to modify a wood furniture surface coating operation controlled by dry filters in Hamburg Borough, **Berks County**.

**22-05034E: Pennsy Supply, Inc.** (1001 Paxton Street, Harrisburg, PA 17104-1645) on April 18, 2006, to modify the pulverizing operation to use on-specification waste derived liquid fuel as a back-up fuel, Hummelstown Pulverizing Plant, South Hanover Township, **Dauphin County**.

**67-03001C: Frito Lay, Inc.** (3553 Gillespie Drive, York, PA 17404-5803) on April 20, 2006, to install a food starch drying and handling system at their existing plant in West Manchester Township, **York County**.

**67-05014B: The York Group, Inc.** (2880 Black Bridge Road, York, PA 17402-9703) on April 19, 2006, to construct a spray paint booth; to remove one existing spray paint booth from the recuperative thermal oxidizer (RTO); to add another existing spray paint booth to the RTO; and an increase in the facility VOC emission cap from 100 tpy to 139.5 tpy at their casket manufacturing facility in Manchester Township, **York County**.

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

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

**15-0039: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on April 18, 2006, to operate the fuel sulfur content in East Caln Township, **Chester County**.

**46-322-007: Waste Management Disposal Services of PA Inc.** (1425 Sell Road, Pottstown, PA 19464) on April 21, 2006, to operate a municipal solid waste landfill in West Pottsgrove Township, **Montgomery County**.

**09-0110B: Riverside Construction Materials, Inc.** (355 Newbold Road, Fairless Hills, PA 19030) on April 21, 2006, to operate a material handling system in Bristol Township, **Bucks County**.

**23-0014D: Kimberly-Clark PA, LLC** (Front Street and Avenue of the States, Chester, PA 19103) on April 21, 2006, to operate a wet scrubber dust control system in City Of Chester, **Delaware County**.

**23-0014E: Kimberly-Clark Corp.** (Front Street and Avenue of the States, Chester, PA 19103) on April 18, 2006, to operate a paper machine No. 16 hood dryer in City Of Chester, **Delaware County**.

**46-0005M: Merck and Co., Inc.** (Sumneytown Pike, P. O. Box WP20, West Point, PA 19486) on April 21, 2006, to operate a natural gas-fired combustion turbine in Upper Gwynedd Township, **Montgomery County**.

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

**38-03045A: Valspar Corp.** (3050 Hanford Drive, Lebanon, PA 17046) on May 1, 2006, to construct a latex paint manufacturing plant in North Lebanon Township, **Lebanon County**. This plan approval was extended.

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

**17-399-023: Prism Enterprises, LLC d/b/a PermaGrain** (1191 Venture Drive, Forest, VA 24551) on April 18, 2006, to operate wood and plastic sawing, sanding, and the like, equipment and associated air cleaning device (a fabric collector) on a temporary basis until August 16, 2006, in Karthaus Township, **Clearfield County**. The plan approval has been extended.

**18-315-001: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17815) on April 18, 2006, to extend the deadline for the performance of stack testing on seven natural gas-fired boilers associated with a paper machine (Paper Machine No. 1) and stack testing on the same paper machine while it is producing tissues, until August 11, 2006, to extend the authorization to operate the respective paper machine on a temporary basis until August 11, 2006, and to extend the authorization to construct a second paper machine (Paper Machine No. 2) until August 11, 2006, in Castanea Township, **Clinton County**. The plan approval has been extended.

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

**30-00148A: Dana Mining Co. of PA, Inc.** (P. O. Box 1209, Morgantown, WV 26507) on April 24, 2006, to complete construction of the coal preparation plant at their 4-West Deep Mine in Dunkard Township, **Greene County**. This plan approval was extended.

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

**42-177A: Bradford Forest, Inc.** (444 High Street, Bradford, PA 16701) on April 30, 2006, for a boiler in Bradford, **McKean County**.

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

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

**67-05012: Transcontinental Gas Pipe Line Corp.** (P. O. Box 1396, Houston, TX 77251-1396) on April 17, 2006, for engine driven natural gas compressors to pump (or pack) gas in the pipeline or to storage in Peach Bottom Township, **York County**. This Operating Permit was administratively amended to incorporate Plan Approval 67-05012A. This is revision No. 1.

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**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.**

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

**30-00129: Morgantown Technical Services, Inc.** (2608 Smithtown Road, Morgantown, WV 26508) on April 21, 2006, to operate surface coating at their Mt. Morris facility in Perry Township, **Greene County**.

**11-00377: New Enterprise Stone and Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA, 16664) on April 20, 2006, to operate in Cambria Township, **Cambria County**. The facility's major sources of emissions include three gyratory crushers, three vibratory screens, a rotary dryer, three roller mills, six storage silos and plant roads.

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

**N04-011: Consolidated Drake Press** (5050 Parkside Ave., Philadelphia, PA 19131) on April 24, 2006, to operate a printing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two boilers and three nonheat-set sheet-feed lithographic printing presses.

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**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.**

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

**23-00026: Glasgow, Inc.—Freeborn Asphalt Plant** (531 Eagle Rd., Springfield, PA) on April 19, 2006, to operate a batch asphalt plant in Springfield Township, **Delaware County**. The permit is for a non-Title V (State-only) facility. The Freeborn Asphalt Plant is a 6,000 lb batch plant consisting of a dryer, knockout box, baghouse, exhaust fan and stack. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

The issued State-only Operating Permit has been amended to incorporate the following changes:

(i) Source ID: 031A (2-Asphalt Tank Heaters) has been included in the list of insignificant activities in Section G (Miscellaneous) that are exempted from emission limits, monitoring and recordkeeping requirements.

Comments will only be taken on the changes covered in this notice.

**23-00001: Sunoco, Inc.** (Delaware Avenue and Green Street, Marcus Hook, PA 19061-0426) on April 19, 2006, an administrative amendment to incorporate several storage tanks (Sources 623, 624 and 625) that were not addressed in the previous permit amendment, the cre-

ation of a new source (101A—a Cat Cracker preheater), and to clarify a group VOC emission limit in Marcus Hook Borough, Delaware County. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.461.

**15-00010: ISG Plate, LLC** (139 Modena Road, Coatesville, PA 19320) on April 24, 2006, this is a Title V facility in the City of Coatesville, **Chester County**. The Title V Operating Permit has been amended to incorporate conditions from Plan Approval Nos. 15-0010 and 15-0010A for the modifications of two grit blast machines and two NAB furnaces. Under Plan Approval No. 15-0010, emissions of PM from the Vertical Grit Blast Machine increased from 0.84 tons per year to 4.09 tons per year. Under the same Plan Approval, emissions of PM from the Horizontal Grit Blast Machine increased from 0.84 ton per year to 4.31 tons per year. Under Plan Approval No. 15-0010A, the 145' NAB Furnace and the 200' NAB Furnace were made subject to new restrictions such that the combined emissions of NOx have been reduced from approximately 93.2 tons per 12-month rolling period to 64.3 tons per 12-month rolling period. All other emissions from the two NAB Furnaces will be reduced in proportion with the NOx emissions. All revisions to the Title V Operating Permit were made under 25 Pa. Code § 127.450.

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

**39-00004: Mack Trucks, Inc.** (7000 Alburtis Road, Macungie, PA. 18062) on April 17, 2006, to incorporate equipment removal and permit requirement language revisions in the Title V Operating Permit for their motor vehicle manufacturing facility in Lower Macungie Township, **Lehigh County**.

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**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

**TVOP 46-00005: Merck and Company, Inc.** (P. O. Box 4, Sumneytown Pike, West Point, PA 19486) on April 19, 2006, a facility in Upper Gwynedd Township, Montgomery County. The facility's major emission points are from equipment designed for manufacturing pharmaceutical products, which emit major levels of VOCs.

The facility has applied to have the following emissions, which will be the result of the installation of a process be considered de minimis:

(Source/Process)—(Pollutant & Emission Increase)

R & D Dryer PM—0.00012 gr/dscf, 0.03 pound per year  
VOC—0.2 ton per year

These emissions increases qualify as de minimis increases under 25 Pa. Code § 127.449.

The existing permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### *Coal Permits Actions*

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

**56841328 and GP12-56841328-R8, Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201), to revise the permit for the Mine 78 in Paint Township, **Somerset County** to establish an emission inventory for construction and operation of proposed new coal processing facility. No additional discharges. Permit issued April 17, 2006.

**30753712 and NPDES Permit No. PA0215724, Emerald Coal Resources, LP** (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to renew the permit for the Emerald Mine No. 1—Coal Refuse Disposal Facility No. 1 in Franklin Township, **Greene County** and related NPDES permit. No additional discharges. Permit issued April 18, 2006.

**32011301 and NPDES Permit No. PA023536, AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650-9628), to operate the Palmerton Mine in Burrell Township, **Indiana County** a new underground mine and related NPDES permit. Surface Acres Proposed: 44.0; Underground Acres Proposed: 1065.5; SCP Acres Proposed: 996.3. Receiving stream: UNT to Blacklick Creek, classified for the following use: CWF. Permit issued April 19, 2006.

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

**Permit No. 56960110 and NPDES Permit No. 0234281, PBS Coals Inc.**, P. O. Box 260, Friedens, PA 15541, permit revision—land use change on John and Gwen Hartman property from pastureland and/or cropland to forestland (24.4 acres) and forestland to cropland (14.1 acres) in Brothersvalley Township, **Somerset County**, affecting 38.5 acres. Receiving streams: UNTs to and Blue Lick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received on February 2, 2006. Permit Issued April 17, 2006.

**Permit No. 56823123 and NPDES Permit No. 0608548, Croner Inc.**, P. O. Box 260, Friedens, PA 15541, permit revision—land use change on Leon W. and Dorothy Jane Paul property from forestland to cropland in Brothersvalley Township, **Somerset County**, affecting

9.8 acres. Receiving streams: UNTs to Buffalo Creek and UNTs to Swamp Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received on February 2, 2006. Permit issued: April 17, 2006.

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

**02783003 and NPDES Permit No. PA0126681, Bologna Mining Company** (P. O. Box 127, Burgettstown, PA 15021). Permit revised to reduce the acreage for an existing treatment facility and necessary access and support area at a bituminous surface mining site located in North Fayette Township, **Allegheny County**, now affecting 6.9 acres. Receiving streams: UNT to the North Branch of Robinson Run. Application received: December 29, 2005. Revised permit issued: April 18, 2006.

**02020201 and NPDES Permit No. PA0250121, Robindale Energy Services, Inc.** (1001 Broad Street, Suite 130, Johnstown, PA 15906). Permit revised to add additional acreage for coal refuse removal and erosion and sedimentation controls, as well as gas line/gas well variances at a bituminous surface/coal refuse reprocessing site located in Plum Borough, **Allegheny County**, now affecting 172.0 acres. Receiving streams: Little Plum Creek. Application received: September 22, 2005. Revised permit issued: April 18, 2006.

**02050101 and NPDES Permit No. PA0250791, Robert B. Goodall** (725 Midway Candor Road, Bulger, PA 15019). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in North Fayette Township, **Allegheny County**, affecting 75.5 acres. Receiving streams: UNTs to North Branch Robinson Run to North Branch Robinson Run to Robinson Run to Chartiers Creek to Ohio River. Application received: October 18, 2005. Permit issued: April 21, 2006.

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

**49803201R4 and NPDES Permit No. PA0595978, Reading Anthracite Company** (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing operation in Zerbe Township, **Northumberland County** affecting 176.0 acres. Receiving stream: Zerbe Run. Application received May 31, 2005. Renewal issued April 18, 2006.

### *Noncoal Permits Actions*

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

**58032803, Powers Stone, Inc.** (R. D. 5, Box 124, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Middletown Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: none. Application received February 24, 2003. Permit issued April 18, 2006.

**58050838, W. D. Fisk, Jr.** (Box 160 A, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation in Jackson Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: none. Application received August 10, 2005. Permit issued April 18, 2006.

**58060802, Alan C. Gage** (R. R. 1, Box 1275, Lawton, PA 18828), commencement, operation and restoration of a quarry operation in Rush Township, **Susquehanna County** affecting 5.0 acre. Receiving stream: none. Application received December 15, 2005. Permit issued April 19, 2006.

**58050858. Kenneth J. Kublo** (R. R. 1, Box 1788, Brackney, PA 18812), commencement, operation and restoration of a quarry operation in Silver Lake Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: none. Application received November 28, 2005. Permit issued April 19, 2006.

**58050854. James D. Carly** (R. R. 5, Box 150, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Forest Lake Township, **Susquehanna County** affecting 1 acre. Receiving stream: none. Application received October 24, 2005. Permit issued April 20, 2006.

**58050843. Michael S. Gillingham** (R. R. 2, Box 37, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Forest Lake Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: none. Application received September 6, 2005. Permit issued April 20, 2006.

**58062801. Douglas G. Kilmer** (R. R. 1, Box 85 K, Union Dale, PA 18470-9728), commencement, operation and restoration of a quarry operation in Rush Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: none. Application received March 6, 2006. Permit issued April 20, 2006.

#### 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.**

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

**65064002. Demtech, Inc.** (65 Bald Mountain Road, Dubois, WY 82513). Blasting activity permit issued for construction blasting on the Pennsylvania Turnpike, Bridge B-469, located in Madison/Hempfield Township, **Westmoreland County**, with an expected duration of 30 days. Permit issued April 17, 2006.

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

**14064008. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Opequon Hill subdivision located in Benner Township, **Centre County**. Permit issued April 18, 2006. Permit expires April 13, 2007.

**14064009. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Grove Park residential development located in Benner Township, **Centre County**. Permit issued April 19, 2006. Permit expires April 14, 2007.

**14064010. Glenn O. Hawbaker, Inc.** (P. O. Box 135, State College, PA 16804-0135), construction blasting for Forest Heights, Phase 5 residential development located in Spring Township, **Centre County**. Permit issued April 19, 2006. Permit expires April 14, 2007.

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

**21064127. David H. Martin Excavating, Inc.** (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Timberland in Southampton Town-

ship, **Cumberland County** with an expiration date of April 10, 2007. Permit issued April 17, 2006.

**21064128. David H. Martin Excavating, Inc.** (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Fields at Hampton Hills in Southampton Township, **Cumberland County** with an expiration date of April 10, 2007. Permit issued April 17, 2006.

**21064129. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for a single dwelling on Forbes Road in Carlisle Borough, **Cumberland County** with an expiration date of April 30, 2007. Permit issued April 17, 2006.

**28064135. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Bestway Plaza in Guilford Township, **Franklin County** with an expiration date of April 30, 2007. Permit issued April 17, 2006.

**28064136. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for utilities on Mill Road in Chambersburg Borough, **Franklin County** with an expiration date of April 30, 2007. Permit issued April 17, 2006.

**28064137. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Progress Valley Development in Chambersburg Borough, **Franklin County** with an expiration date of April 30, 2007. Permit issued April 17, 2006.

**64064001. Northeast Blasting** (403 Middle Creek Road, Honesdale, PA 18431), construction blasting at Mt. View Estates Lot No. 11 Island Road in Clinton Township, **Wayne County** with an expiration date of May 25, 2007. Permit issued April 18, 2006.

**22064113. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Applied Science Research Building in Derry Township, **Dauphin County** with an expiration date of December 30, 2006. Permit issued April 18, 2006.

**23064103. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Chadds Ford Lot 12 in Chadds Ford Township, **Delaware County** with an expiration date of December 30, 2006. Permit issued April 18, 2006.

**36065138. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for David Martin Manure Storage Pit in Caernarvon Township, **Lancaster County** with an expiration date of June 30, 2006. Permit issued April 18, 2006.

**36064139. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting for the Crossings at Rocky Springs in West Lampeter Township, **Lancaster County** with an expiration date of April 18, 2007. Permit issued April 18, 2006.

**38064114. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Zimmey's Automotive in Annville Township, **Lebanon County** with an expiration date of December 30, 2006. Permit issued April 18, 2006.

**06064007. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Governors Pointe Subdivision in Cumru Township, **Berks County** with an expiration date of April 30, 2007. Permit issued April 20, 2006.

**06064008. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Scull Hill Road Subdivision in Penn Township, **Berks County** with an expiration date of April 30, 2007. Permit issued April 20, 2006.

**28064002. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for the Progress Road Pump Station in Chambersburg Borough, **Franklin County** with an expiration date of April 15, 2007. Permit issued April 20, 2006.

**06064108. Schlouch, Inc.** (P. O. Box 69, Blandon, PA 19510), construction blasting for Cricket Slope in Oley Township, **Berks County** with an expiration date of January 1, 2007. Permit issued April 20, 2006.

**09064114. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Richland Market Place in Richland Township, **Bucks County** with an expiration date of April 19, 2007. Permit issued April 20, 2006.

**28064138. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Mountain Brook Estates in Peter Township, **Franklin County** with an expiration date of April 30, 2007. Permit issued April 20, 2006.

**28064139. David H. Martin Excavating, Inc.** (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Dan Long Farm in Quincy Township, **Franklin County** with an expiration date of April 14, 2007. Permit issued April 20, 2006.

**40064110. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Crestwood Industrial Park in Wright Township, **Luzerne County** with an expiration date of April 13, 2007. Permit issued April 20, 2006.

**45064132. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for a home in Hamilton Township, **Monroe County** with an expiration date of April 15, 2007. Permit issued April 20, 2006.

**45064133. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for Skytop Lodge in Barrett Township, **Monroe County** with an expiration date of May 31, 2007. Permit issued April 20, 2006.

**46064115. Schlouch, Inc.** (P. O. Box 69, Blandon, PA 19510), construction blasting for Briar Ridge in New Hanover Township, **Montgomery County** with an expiration date of January 1, 2007. Permit issued April 20, 2006.

**46064116. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Cottingham in Upper Pottsgrove Township, **Montgomery County** with an expiration date of December 30, 2006. Permit issued April 20, 2006.

**48064110. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Longview in Lower Saucon Township, **Northampton County** with an expiration date of December 30, 2006. Permit issued April 20, 2006.

**52064114. Holbert Explosives, Inc.** (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Ranchlands in Lehman Township, **Pike County** with an expiration date of April 20, 2007. Permit issued April 20, 2006.

**52064115. Holbert Explosives, Inc.** (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Sawcreek Estates in Lehman Township, **Pike County** with an expiration date of April 20, 2007. Permit issued April 20, 2006.

**52064116. Holbert Explosives, Inc.** (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for a home in Lackawaxen Township, **Pike County** with an expiration date of September 30, 2006. Permit issued April 20, 2006.

**54064102. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Wal-Mart Shopping Center in Tamaqua Borough and Rush Township, **Schuylkill County** with an expiration date of April 10, 2007. Permit issued April 20, 2006.

**64064103. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for a home in Paupack Township, **Wayne County** with an expiration date of April 15, 2007. Permit issued April 20, 2006.

**64064104. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for Fox Ledge Spring Water in Dyberry Township, **Wayne County** with an expiration date of May 31, 2007. Permit issued April 20, 2006.

**15064112. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for a home in East Pikeland Township, **Chester County** with an expiration date of August 1, 2006. Permit issued April 21, 2006.

**21064131. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for a home on Biddle Road in Silver Spring Township, **Cumberland County** with an expiration date of April 30, 2007. Permit issued April 21, 2006.

**22064114. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for a residential development in Susquehanna Township, **Dauphin County** with an expiration date of April 30, 2007. Permit issued April 21, 2006.

**36064140. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting for 4 homes on Graystone Road in East Petersburg Borough, **Lancaster County** with an expiration date of April 20, 2007. Permit issued April 21, 2006.

**36064141. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Park Ridge Development in Manheim Township, **Lancaster County** with an expiration date of December 30, 2007. Permit issued April 21, 2006.

**52064117. DC Guelich Explosives, Inc.** (R. R. 3, Box 125A, Clearfield, PA 16830), construction blasting for Falls Creek Estates in Lehman and Middle Smithfield Townships, **Pike and Monroe Counties** with an expiration date of April 18, 2007. Permit issued April 21, 2006.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E40-647. William James, R. R. 1, Box 291, Sutton Creek Road, West Pittston, PA 18640. Exeter Township, Luzerne County, Army Corps of Engineers Baltimore District.**

To maintain fill that was placed in 0.16 acre of PEM/POW wetlands for the purpose of constructing a horse stable/barn. The permittee is required to provide for 0.31 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located along the south side of Sutton Creek Road, approximately 2.0 miles west of SR 0092 (Ransom, PA Quadrangle N: 3.0 inches; W: 14.3 inches) (Subbasin 4G).

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

**E14-484. Houtzdale Municipal Authority, 561 Kirk Street, Houtzdale, PA 16651-1209. Moshannon Creek and Henderson Area Water System Improvements Rush Town-**

**ship, Centre County, ACOE Baltimore District (Houtzdale, PA Quadrangle N: 6.92 inches; W: 12.85 inches).**

To construct, operate and maintain a surface water intake, raw water transmission lines and treated drinking water distribution lines to extend and supplement the Houtzdale Municipal Authority's existing public drinking water supplies. Construction of the surface water intake, raw water transmission lines and treated drinking water distribution lines will result in a raw water transmission line crossing Moshannon Creek. All raw water transmission and treated drinking water distribution lines shall be installed beneath streambeds so there will be a minimum of 3 feet of cover between the top of the pipe and the lowest point in the streambed or concrete encased. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. Construction of the surface water intake and monitoring weir shall be conducted during stream low flow and in dry work conditions by dams and pumping or fluming stream flow around work area. Since Moshannon Creek is a wild trout stream, no construction or future repair work of the surface intake and monitoring weir shall be done in or along the stream channel between October 1 and December 31 without the prior written approval of the Fish and Boat Commission. The project is located along eastern right-of-way of SR 0153 approximately 1.2 miles east of Woodward Township (Clearfield County) Road T-650 and SR 0153.

**E53-410. Potter County Conservation District, 107 Market Street, Coudersport, PA 16915, Genesee River Stabilization Project (Perry-Cornell-Slawson Site) in Genesee Township, Potter County, ACOE Pittsburgh District (Ulysses, PA Quadrangle N: 18.5 inches; W: 15.0 inches).**

To restore a reach of the Genesee River by constructing, operating and maintaining a minimum of four rock straight vanes, four root-wads and 175 feet of rock toe protection for the stabilization of 480 feet of eroded stream bank. All in-stream activity and structures shall be constructed in minimum stream flow conditions needed to establish stream centerline, as well as from the stream bank to the fullest extent possible. Since the Genesee River is a stock trout fishery, no construction of future repair work shall be done in or along the stream channel between March 1 and June 15 without the prior written approval of the Fish and Boat Commission. The project is located along the eastern right-of-way of SR 0449 approximately 1,200 feet north of Township Road 411 and SR 0449 intersection near the Village of Hickox.

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

**E02-584. Hanson Aggregates PMA, Inc., 2200 Springfield Pike, Connellsville, PA 15425. To reissue and amend commercial sand and gravel dredging permit in Allegheny, Armstrong, Beaver and Westmoreland Counties, Pittsburgh ACOE District (starting at East Brady, PA Quadrangle N: 20.9 inches; W: 15.7 inches and ending at East Liverpool North, OH-PA-WV Quadrangle N: 2.2 inches; W: 2.7 inches) and (starting at Latitude: 40° 51' 54"—Longitude: 79° 36' 49" and ending at Latitude: 40° 30' 44" and Longitude: 80° 31' 10"). To extend existing permit E02-584, which authorizes commercial sand and gravel dredging in select areas of Allegheny River (WWF) and Ohio River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties, until**

May 31, 2006, and to amend the permit to include Allegheny River Mile Points 26.8 to 26.4 right descending bank, in Harrison Township, Allegheny County, and 26.4 to 26.7 left descending bank, in Allegheny Township, Westmoreland County, and Ohio River Mile Points 19.2 to

20.2 right descending bank, in Baden Borough, Beaver County, and 26.2 to 27.2 in Beaver and Vanport Boroughs, and Center and Potter Townships, Beaver County. The site specific currently approved dredging locations are as follows:

<b>Allegheny River</b>				
<i>Pool</i>	<i>River Miles</i>	<i>Municipality</i>	<i>County</i>	<i>Comments/Restrictions (See Notes)</i>
Emsworth	None		Allegheny	
2	None		Allegheny	
3	15.1 to 15.3	Cheswick Borough	Allegheny	
	15.5 to 15.55	Springdale Borough	Allegheny	
	15.55 to 15.7L	Plum Borough	Allegheny	
	15.7 to 15.9	Springdale Township	Allegheny	See Note
	15.9 to 16.0	East Deer Township	Allegheny	
	16.1 to 16.3	City of New Kensington	Westmoreland	
	18.7 to 19.5	City of Arnold	Westmoreland	
	19.75 to 19.85	Brackenridge Borough	Allegheny	
	21.0 to 21.5L	Tarentum Borough	Allegheny	
	22.5 to 22.6	Harrison Township	Allegheny	
	22.6 to 22.7L	City of Lower Burrell	Westmoreland	
	22.9 to 23.1			
4	25.2 to 26.4	Harrison Township	Allegheny	
	26.4 to 26.5R	City of Lower Burrell	Westmoreland	
	26.5 to 26.6	Allegheny Township	Westmoreland	
	26.6 to 26.7R			
	26.7 to 26.8			
	26.8 to 27.0L			
	27.0 to 27.1			
	27.2 to 27.9R			
	28.3 to 28.5R			
5	30.7 to 31.6	Gilpin Township	Armstrong	
	31.7 to 32.2	South Buffalo Township	Armstrong	
	32.9 to 33.0R			See Note
	33.9 to 34.0L			See Note
	34.0 to 34.5			
	34.5 to 35.0			
6	None		Armstrong	
7	46.5 to 46.6	Kittanning Borough	Armstrong	
	46.6 to 46.7L	East Franklin Township	Armstrong	
	47.1 to 47.2	Rayburn Township	Armstrong	See Note
	47.2 to 47.3	Boggs Township	Armstrong	
	47.4 to 47.6R	Washington Township	Armstrong	See Note
	47.6 to 48.0			See Note
	48.0 to 48.2L			
	48.2 to 48.9			See Note
	49.1 to 49.3L			
	49.4 to 49.5R			
	49.5 to 49.6			
	49.6 to 49.7R			
	49.7 to 49.8			
	49.8 to 50.0L			
	50.0 to 50.1			
	50.1 to 50.2L			
	50.3 to 50.4R			
	51.4 to 51.6			
	51.6 to 51.7L			
	51.7 to 52.4			

**Allegheny River**

<i>Pool</i>	<i>River Miles</i>	<i>Municipality</i>	<i>County</i>	<i>Comments/Restrictions (See Notes)</i>
8	52.8 to 53.3L 53.3 to 54.0 54.45 to 54.5R 54.5 to 54.7 58.2 to 58.6R	Boggs Township Pine Township Washington Township	Armstrong Armstrong Armstrong	See Note
9	None			

*Notes:*

At MP 15.7 to 15.9, no dredging closer than 300 feet from the river wall along the right descending bank.

At MP32.9, the area authorized for dredging is 1,000 feet upstream of the most upstream point of Murphy's Island to 33.0R.

At MP 33.9 to 34.0, avoid the right descending bank at river mile 33.9 through 34.0

At MP 47.1, avoid the right descending bank at river mile 47.1.

At MP 47.4, avoid the right descending bank at river mile 47.4.

At MP 47.7, avoid the left descending bank at river mile 47.7.

At MP 48.4, avoid the left descending bank at river mile 48.4.

At MP 54.5, permittee shall provide for daily turbidity testing during dredging and a Microscopic Particulate evaluation (MPE) two weeks after the cessation of dredging. The daily turbidity test results are to be submitted to DEP, Water Supply Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 on a weekly basis. If the daily turbidity tests indicate an increase in turbidity, permittee may be required to perform additional MPEs during dredging.

*General Notes:*

"Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above a below the mile points specified in the comments/restrictions column interesting the shore and near side of the navigation channel.

"R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that can be dredged.

**Ohio River**

<i>Pool</i>	<i>River Miles</i>	<i>Municipality</i>	<i>County</i>	<i>Comments/Restrictions (See Notes)</i>
Emsworth	None		Allegheny	
Dashields	None		Allegheny	
Montgomery	17.0 to 18.35 20.6 to 21.6R 21.0 to 21.6L 21.6 to 21.7 21.7 to 21.8L 21.8 to 22.0 22.0 to 21.1L 22.1 to 22.3 22.6 to 22.7L 22.7 to 22.9 22.9 to 23.2L 23.2 to 23.3 23.3 to 23.5R 29.4 to 29.6 29.6 to 29.7R 29.7 to 29.8 29.8 to 30.1L 30.1 to 30.3 30.3 to 30.4L 30.4 to 31.4L	City of Aliquippa Borough of Ambridge Baden Borough Harmony Township Hopewell Township Conway Borough Economy Borough Center Township Monaca Borough Freedom Borough Industry Borough Potter Township	Beaver	See Note



**Ohio River**

<i>Pool</i>	<i>River Miles</i>	<i>Municipality</i>	<i>County</i>	<i>Comments/Restrictions (See Notes)</i>
New Cumberland	32.2 to 32.5	Shippingport Borough	Beaver	
	32.5 to 32.6L	Industry Borough		
	32.6 to 33.0	Raccoon Township		
	33.0 to 33.1R	Midland Borough		
	33.8 to 33.9	Greene Township		
	34.1 to 34.2	Ohioville Borough		
	34.2 to 34.3R	Georgetown Borough		
	35.5 to 36.0			
	36.5 to 37.4R			See Note
	37.4 to 37.9R			
	38.0 to 38.5			
	38.6 to 38.7			
	38.7 to 38.95L			
	38.95 to 39.25			
	39.25 to 39.35L			
	39.35 to 39.5			

*Notes:*

At MP 21.0 to 21.1L, minimum 250 feet setback from normal pool shoreline. The 150 feet setback from 6 foot contour still applies.

At MP 21.3 to 21.4L, minimum 250 feet setback from normal pool shoreline. The 150 feet setback from 6 foot contour still applies.

At MP 21.4 to 21.6L, minimum 200 feet setback from normal pool shoreline. The 150 feet setback from 6 foot contour still applies.

At MP 37.4 to 37.9R, Dredging is authorized for right descending bank main channel only.

*General Notes:*

"Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above a below the mile points specified in the comments/restrictions column interesting the shore and near side of the navigation channel.

"R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that can be dredged.

**E02-919. Tri-State River Products, Inc.**, P. O. Box 218, 334 Insurance Street, Beaver, PA 15009-0218. To reissue and amend commercial sand and gravel dredging permit in **Allegheny, Armstrong, Beaver and Westmoreland Counties**, Pittsburgh ACOE District (starting at East Brady, PA Quadrangle N: 20.9 inches; W: 15.7 inches and ending at East Liverpool North, OH-PA-WV Quadrangle N: 2.2 inches; W: 2.7 inches) and (starting at Latitude: 40° 51' 54"—Longitude: 79° 36' 49" and ending at Latitude: 40° 30' 44" and Longitude: 80° 31' 10"). To extend existing Permit E02-919, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties, until May 31, 2006, and to amend the permit to include Ohio River Mile Points 19.2 to 20.2 right descending bank, in Baden Borough, Beaver County, and 26.2 to 27.2 in Beaver and Vanport Boroughs, and Center and Potter Townships, Beaver County. The site specific currently approved dredging locations are as follows:

**Allegheny River**

<i>Pool</i>	<i>River Miles</i>	<i>Municipality</i>	<i>County</i>	<i>Comments/Restrictions (See Notes)</i>
Emsworth	None		Allegheny	
2	None		Allegheny	
3	15.1 to 15.3	Cheswick Borough	Allegheny	
	15.5 to 15.55	Springdale Borough	Allegheny	
	15.55 to 15.7L	Plum Borough	Allegheny	
	15.7 to 15.9	Springdale Township	Allegheny	See Note
	15.9 to 16.0	East Deer Township	Allegheny	
	16.1 to 16.3	City of New Kensington	Westmoreland	
	18.7 to 19.5	City of Arnold	Westmoreland	
	19.75 to 19.85	Brackenridge Borough	Allegheny	
	21.0 to 21.5L	Tarentum Borough	Allegheny	
	22.5 to 22.6	Harrison Township	Allegheny	
	22.6 to 22.7L	City of Lower Burrell	Westmoreland	
	22.9 to 23.1			

<b>Allegheny River</b>				
<i>Pool</i>	<i>River Miles</i>	<i>Municipality</i>	<i>County</i>	<i>Comments/Restrictions (See Notes)</i>
4	25.2 to 26.4 26.4 to 26.5R 26.5 to 26.6 26.6 to 26.7R 26.7 to 26.8 26.8 to 27.0L 27.0 to 27.1 27.2 to 27.9R 28.3 to 28.5R	Harrison Township City of Lower Burrell Allegheny Township	Allegheny Westmoreland Westmoreland	
5	30.7 to 31.6 31.7 to 32.2 32.9 to 33.0R 33.9 to 34.0L 34.0 to 34.5 34.5 to 35.0	Gilpin Township South Buffalo Township	Armstrong Armstrong	See Note See Note
6	None		Armstrong	
7	46.5 to 46.6 46.6 to 46.7L 47.1 to 47.2 47.2 to 47.3 47.4 to 47.6R 47.6 to 48.0 48.0 to 48.2L 48.2 to 48.9 49.1 to 49.3L 49.4 to 49.5R 49.5 to 49.6 49.6 to 49.7R 49.7 to 49.8 49.8 to 50.0L 50.0 to 50.1 50.1 to 50.2L 50.3 to 50.4R 51.4 to 51.6 51.6 to 51.7L 51.7 to 52.4	Kittanning Borough East Franklin Township Rayburn Township Boggs Township Washington Township	Armstrong Armstrong Armstrong Armstrong Armstrong	See Note See Note See Note See Note
8	52.8 to 53.3L 53.3 to 54.0 54.45 to 54.5R 54.5 to 54.7 58.2 to 58.6R	Boggs Township Pine Township Washington Township	Armstrong Armstrong Armstrong	See Note
9	None			

*Notes:*

At MP 15.7 to 15.9, no dredging closer than 300 feet from the river wall along the right descending bank.

At MP32.9, the area authorized for dredging is 1,000 feet upstream of the most upstream point of Murphy's Island to 33.0R.

At MP 33.9 to 34.0, avoid the right descending bank at river mile 33.9 through 34.0

At MP 47.1, avoid the right descending bank at river mile 47.1.

At MP 47.4, avoid the right descending bank at river mile 47.4.

At MP 47.7, avoid the left descending bank at river mile 47.7.

At MP 48.4, avoid the left descending bank at river mile 48.4.

At MP 54.5, permittee shall provide for daily turbidity testing during dredging and a Microscopic Particulate evaluation (MPE) two weeks after the cessation of dredging. The daily turbidity test results are to be submitted to DEP, Water Supply Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 on a weekly basis. If the daily turbidity tests indicate an increase in turbidity, permittee may be required to perform additional MPEs during dredging.

*General Notes:*

"Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above a below the mile points specified in the comments/restrictions column interesting the shore and near side of the navigation channel.

“R” refers to Right Descending Bank and “L” refers to Left Descending Bank. These indicate the areas that can be dredged.

## Ohio River

<i>Pool</i>	<i>River Miles</i>	<i>Municipality</i>	<i>County</i>	<i>Comments/Restrictions (See Notes)</i>
Emsworth	None		Allegheny	
Dashields	None		Allegheny	
Montgomery	17.0 to 18.35 20.6 to 21.6R 21.0 to 21.6L 21.6 to 21.7 21.7 to 21.8L 21.8 to 22.0 22.0 to 21.1L 22.1 to 22.3 22.6 to 22.7L 22.7 to 22.9 22.9 to 23.2L 23.2 to 23.3 23.3 to 23.5R 29.4 to 29.6 29.6 to 29.7R 29.7 to 29.8 29.8 to 30.1L 30.1 to 30.3 30.3 to 30.4L 30.4 to 31.4L	City of Aliquippa Borough of Ambridge Baden Borough Harmony Township Hopewell Township Conway Borough Economy Borough Center Township Monaca Borough Freedom Borough Industry Borough Potter Township	Beaver	See Note
New Cumberland	32.2 to 32.5 32.5 to 32.6L 32.6 to 33.0 33.0 to 33.1R 33.8 to 33.9 34.1 to 34.2 34.2 to 34.3R 35.5 to 36.0 36.5 to 37.4R 37.4 to 37.9R 38.0 to 38.5 38.6 to 38.7 38.7 to 38.95L 38.95 to 39.25 39.25 to 39.35L 39.35 to 39.5	Shippingport Borough Industry Borough Raccoon Township Midland Borough Greene Township Ohioville Borough Georgetown Borough	Beaver	See Note

*Notes:*

At MP 21.0 to 21.1L, minimum 250 feet setback from normal pool shoreline. The 150 feet setback from 6 foot contour still applies.

At MP 21.3 to 21.4L, minimum 250 feet setback from normal pool shoreline. The 150 feet setback from 6 foot contour still applies.

At MP 21.4 to 21.6L, minimum 200 feet setback from normal pool shoreline. The 150 feet setback from 6 foot contour still applies.

At MP 37.4 to 37.9R, Dredging is authorized for right descending bank main channel only.

*General Notes:*

“Avoid” as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above a below the mile points specified in the comments/restrictions column interesting the shore and near side of the navigation channel.

“R” refers to Right Descending Bank and “L” refers to Left Descending Bank. These indicate the areas that can be dredged.

**E02-1326. Glacial Sand and Gravel Company**, P. O. Box 1022, Kittanning, PA 16201-1022. To reissue and amend commercial sand and gravel dredging permit in **Allegheny, Armstrong, Beaver and Westmoreland Counties**, Pittsburgh ACOE District (starting at East Brady, PA Quadrangle N: 20.9 inches; W: 15.7 inches and ending at East Liverpool North, OH-PA-WV Quadrangle N: 2.2 inches; W: 2.7 inches) and (starting at Latitude: 40° 51' 54"—Longitude: 79° 36' 49" and ending at Latitude: 40° 30' 44" and Longitude: 80° 31' 10"). To extend existing Permit E02-1326, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong, and Westmoreland Counties, until May 31, 2006, and to

amend the permit to include Allegheny River Mile Points 26.8 to 26.4 right descending bank, in Harrison Township, Allegheny County and 26.4 to 26.7 left descending bank, in Allegheny Township, Westmoreland County. The site specific currently approved dredging locations are as follows:

<b>Allegheny River</b>				
<i>Pool</i>	<i>River Miles</i>	<i>Municipality</i>	<i>County</i>	<i>Comments/Restrictions (See Notes)</i>
Emsworth	None		Allegheny	
2	None		Allegheny	
3	15.1 to 15.3	Cheswick Borough	Allegheny	
	15.5 to 15.55	Springdale Borough	Allegheny	
	15.55 to 15.7L	Plum Borough	Allegheny	
	15.7 to 15.9	Springdale Township	Allegheny	See Note
	15.9 to 16.0	East Deer Township	Allegheny	
	16.1 to 16.3	City of New Kensington	Westmoreland	
	18.7 to 19.5	City of Arnold	Westmoreland	
	19.75 to 19.85	Brackenridge Borough	Allegheny	
	21.0 to 21.5L	Tarentum Borough	Allegheny	
	22.5 to 22.6	Harrison Township	Allegheny	
	22.6 to 22.7L	City of Lower Burrell	Westmoreland	
	22.9 to 23.1			
4	25.2 to 26.4	Harrison Township	Allegheny	
	26.4 to 26.5R	City of Lower Burrell	Westmoreland	
	26.5 to 26.6	Allegheny Township	Westmoreland	
	26.6 to 26.7R			
	26.7 to 26.8			
	26.8 to 27.0L			
	27.0 to 27.1			
	27.2 to 27.9R			
	28.3 to 28.5R			
5	30.7 to 31.6	Gilpin Township	Armstrong	
	31.7 to 32.2	South Buffalo Township	Armstrong	
	32.9 to 33.0R			See Note
	33.9 to 34.0L			See Note
	34.0 to 34.5			
	34.5 to 35.0			
6	None		Armstrong	
7	46.5 to 46.6	Kittanning Borough	Armstrong	
	46.6 to 46.7L	East Franklin Township	Armstrong	
	47.1 to 47.2	Rayburn Township	Armstrong	See Note
	47.2 to 47.3	Boggs Township	Armstrong	
	47.4 to 47.6R	Washington Township	Armstrong	See Note
	47.6 to 48.0			See Note
	48.0 to 48.2L			
	48.2 to 48.9			See Note
	49.1 to 49.3L			
	49.4 to 49.5R			
	49.5 to 49.6			
	49.6 to 49.7R			
	49.7 to 49.8			
	49.8 to 50.0L			
	50.0 to 50.1			
	50.1 to 50.2L			
	50.3 to 50.4R			
	51.4 to 51.6			
	51.6 to 51.7L			
	51.7 to 52.4			
8	52.8 to 53.3L	Boggs Township	Armstrong	
	53.3 to 54.0	Pine Township	Armstrong	
	54.45 to 54.5R	Washington Township	Armstrong	See Note
	54.5 to 54.7			
	58.2 to 58.6R			
9	None			

Notes:

At MP 15.7 to 15.9, no dredging closer than 300 feet from the river wall along the right descending bank.

At MP32.9, the area authorized for dredging is 1000 feet upstream of the most upstream point of Murphy's Island to 33.0R.

At MP 33.9 to 34.0, avoid the right descending bank at river mile 33.9 through 34.0

At MP 47.1, avoid the right descending bank at river mile 47.1.

At MP 47.4, avoid the right descending bank at river mile 47.4.

At MP 47.7, avoid the left descending bank at river mile 47.7.

At MP 48.4, avoid the left descending bank at river mile 48.4.

At MP 54.5, permittee shall provide for daily turbidity testing during dredging and a Microscopic Particulate evaluation (MPE) two weeks after the cessation of dredging. The daily turbidity test results are to be submitted to DEP, Water Supply Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 on a weekly basis. If the daily turbidity tests indicate an increase in turbidity, permittee may be required to perform additional MPEs during dredging.

General Notes:

"Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above a below the mile points specified in the comments/restrictions column interesting the shore and near side of the navigation channel.

"R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that can be dredged.

**Ohio River**

<i>Pool</i>	<i>River Miles</i>	<i>Municipality</i>	<i>County</i>	<i>Comments/Restrictions (See Notes)</i>
Emsworth	None		Allegheny	
Dashields	None		Allegheny	
Montgomery	17.0 to 18.35 20.6 to 21.6R 21.0 to 21.6L 21.6 to 21.7 21.7 to 21.8L 21.8 to 22.0 22.0 to 21.1L 22.1 to 22.3 22.6 to 22.7L 22.7 to 22.9 22.9 to 23.2L 23.2 to 23.3 23.3 to 23.5R 29.4 to 29.6 29.6 to 29.7R 29.7 to 29.8 29.8 to 30.1L 30.1 to 30.3 30.3 to 30.4L 30.4 to 31.4L	City of Aliquippa Borough of Ambridge Baden Borough Harmony Township Hopewell Township Conway Borough Economy Borough Center Township Monaca Borough Freedom Borough Industry Borough Potter Township	Beaver	See Note
New Cumberland	32.2 to 32.5 32.5 to 32.6L 32.6 to 33.0 33.0 to 33.1R 33.8 to 33.9 34.1 to 34.2 34.2 to 34.3R 35.5 to 36.0 36.5 to 37.4R 37.4 to 37.9R 38.0 to 38.5 38.6 to 38.7 38.7 to 38.95L 38.95 to 39.25 39.25 to 39.35L 39.35 to 39.5	Shippingport Borough Industry Borough Raccoon Township Midland Borough Greene Township Ohioville Borough Georgetown Borough	Beaver	See Note

*Notes:*

At MP 21.0 to 21.1L, minimum 250 feet setback from normal pool shoreline. The 150 feet setback from 6 foot contour still applies.

At MP 21.3 to 21.4L, minimum 250 feet setback from normal pool shoreline. The 150 feet setback from 6 foot contour still applies.

At MP 21.4 to 21.6L, minimum 200 feet setback from normal pool shoreline. The 150 feet setback from 6 foot contour still applies.

At MP 37.4 to 37.9R, Dredging is authorized for right descending bank main channel only.

*General Notes:*

"Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above a below the mile points specified in the comments/restrictions column interesting the shore and near side of the navigation channel.

"R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that can be dredged.

**E32-472. Department of Transportation,** Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. To construct a culvert in Montgomery Township, **Indiana County**, Pittsburgh ACOE District. (Burnside, PA Quad-range N: 1.6 inches; W: 16.0 inches and Latitude: 40° 45' 32"—Longitude: 78° 52' 02"). To remove the existing structure and to construct and maintain a 45.0 ft. long, single cell, 1.0 ft. depressed, 9.0-foot span by 8.0-foot high precast concrete box culvert; relocate and maintain approximately 100 ft. of upstream and 200 ft. of downstream of the culvert and to place and maintain fill in 0.072 acre of (PEM/PSS, EV) wetland; and to construct and maintain 0.16 of replacement (PEM/PSS) wetland adjacent to the downstream stream relocation in Cush Creek (CWF) for the purpose of improving transportation safety and roadway standards. The project is located on SR 286.

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

**E43-329, Borough of Grove City,** 123 W. Main St., P. O. Box 110, Grove City, PA 16127-4414. Grove City Regional Airport Obstruction Removal and Hanger Expansion Project, in Springfield Township, **Mercer County**, ACOE Pittsburgh District (Mercer, PA Quad-range N: 41° 08' 46"; W: 80° 10' 04").

To conduct the following activities as part of the obstruction removal and expansion project at the Grove City Regional Airport located north of SR 208 and west of SR 258.

1. To impact a total of 850 feet of a tributary to Black Run (CWF) currently flowing east along the south side of the runway by enclosing it within approximately 370 feet of 48-inch diameter polyethylene pipe to outlet to existing wetlands southeast of the glider landing area located south of the runway.

2. To fill a total of 0.1 acre of wetland (PEM) for construction of new hangars south of the runway and east of the terminal.

The project includes creation of 0.13 acre of replacement wetland on airport property.

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

**EA30-002. Stream Restoration Incorporated,** 3016 Unionville Road, Cranberry Township, PA 16066. To maintain a passive mine drainage system in the Mathews Restoration Area in Dunkard Township, **Greene County**, Pittsburgh ACOE District (Morgantown North, PA Quad-

range N: 22.3 inches; W: 12.8 inches and Latitude: 39° 44' 52"—Longitude: 79° 57' 58"). To construct and maintain a passive, acid mine drainage treatment system, to treat the drainage discharges emanating from the Mathews property. The project will affect a reported 0.70 acre of the PEM wetland and 215 feet of a UNT of Dunkard Creek (WWF) with the construction of the collection-system design, which includes a forebay, vertical flow ponds, hybrid horizontal/vertical flow ponds, settling ponds, an oxidation precipitation channel, a horizontal flow limestone bed, and approximately 0.75 acre of aerobic wetlands. The project site is on SR 2004, approximately 1,600 feet from its intersection with SR 2011.

## SPECIAL NOTICES

### Categorical Exclusions

*Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110,(717) 705-4707.*

*Location:* City of Lancaster, 120 North Duke Street, P. O. Box 1599, Lancaster, PA 17608-1599.

*Description:* The Pennsylvania Infrastructure Investment Authority which administers the Commonwealth's State Revolving Fund is the intended funding source for this wastewater facility's improvement project. The City of Lancaster's proposed project will construct a combined sewer overflow related bypass at the City's wastewater treatment facility located at 1220 New Danville Pike in Lancaster Township and will provide separate sanitary and storm sewers for portions of the Armstrong World Industries Floor Plant Site and neighboring North Charlotte Street, Lincoln Avenue, Stephens Street and Water Street. The Department of Environmental Protection's (Department) review of this proposed project has not identified any significant adverse environmental impact, which would result from this proposed project. The Department hereby categorically excludes this project from further review under the State Environmental Review Process.

*Northeast Regional Office, Water Management Program Manager, 2 Public Square, Willkes-Barre, PA 18711.*

*Location:* Borough of Clarks Summit, Lackawanna Co., 304 South State Street, Clarks Summit, PA 18411.

*Description:* Clarks Summit Borough proposes to replace sanitary sewer lines which run along the Canadian Pacific Railway between Knapp and Winola Roads within the Borough. The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding

source for this project. The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

[Pa.B. Doc. No. 06-758. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: Technical Guidance). The "Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2006.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

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

#### *Changes to Technical Guidance Documents*

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

#### *Final Technical Guidance*

DEP ID: 383-2125-108. Title: Public Water Supply Manual—Part II Community System Design Standards. Description: This document provides detailed design and construction standards for all community water systems. It also contains instructions for submitting a public water supplier's permit application. Substantive revisions were recently made to the document to incorporate updates related to new technology and National design standards. Notice of availability of the substantially revised document, and a summary of changes, was published at 35 Pa.B. 4143 (July 23, 2005), with provision for a 30-day public comment period. The Department received comments from one commentator, which were addressed in a Department-prepared Comment and Response Document. The guidance is issued under the authority of the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) and 25 Pa. Code Chapter 109 (relating to safe drinking water). Contact: Kevin Mcleary, Bureau of Water Standards and Facility Regulation, Rachel Carson State

Office Building, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 783-1820, [kmcleary@state.pa.us](mailto:kmcleary@state.pa.us). Effective Date: May 6, 2006.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-759. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Pennsylvania Energy Harvest Grant Program Applications

The Department of Environmental Protection (Department) announces the availability of \$5 million in the fourth year of the Commonwealth's Energy Harvest Grant Program for innovative energy deployment projects addressing the concerns of air quality protection or improvement and watershed protection or improvement.

Grants will fund projects that promote awareness and build markets for cleaner or renewable energy technologies. Proposals should manage this Commonwealth's energy resources in a way that also improves the environment, supports economic development and enhances quality of life.

Eligible proposals include: renewable energy deployment, including biomass energy; waste coal reclamation for energy; deployment of innovative energy efficiency technologies; and distributed generation projects.

Applications are available by contacting the Department of Environmental Protection, Office of Energy and Technology Deployment, 15th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8772, Harrisburg, PA 17105-8772, (717) 783-8411. Applications are also available on the Department's website: [depweb.state.pa.us](http://depweb.state.pa.us) (DEP Keywords: Energy Harvest). The application package contains the materials and instructions necessary for applying for a grant.

Applications must be postmarked or received by 4 p.m. on July 14, 2006. Faxes will not be accepted. Use staples only, no binding or cover pages.

Note that the Department's Pennsylvania Energy Development Authority Grant Program will be open at the same time (see 36 Pa.B. 2260 (May 6, 2006)).

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-760. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Pennsylvania Industry-Wide Coproduct No. 1; Reclaimed Asphalt Pavement

Under the regulatory authority of 25 Pa. Code § 287.9 (relating to industry-wide coproduct determinations) of the residual waste regulations and the statutory authority of the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Department of Environmental Protection (Department) is authorized to establish a list of classes of materials as industry-wide coproducts for specific uses. At 35 Pa.B. 6382 (November 19, 2005), the Department provided public notice and an opportunity for public comment concerning its proposal to establish reclaimed asphalt pavement (RAP), including mix-

tures of RAP and clean fill from the milling of the edge of roadway shoulders, as an industry-wide coproduct. Provision for a 30-day public comment period on the Department's proposal was provided, and written comments were received. The Department prepared a comment and response document, which summarizes the comments received and the changes made to the RAP Industry-Wide Coproduct Determination (Determination).

For the purposes of the Department's determination and in accordance with 25 Pa. Code § 287.9, RAP is formed of small particles, typically up to less than 1 inch in size, of bitumen and inorganic materials produced by the mechanical grinding of bituminous pavement surfaces that have not been subject to a spill or release of regulated substances or mixed with other solid waste. RAP is not the equivalent of used asphalt, which is typically in the form of chunks, typically greater than 1 inch in size and thus is not considered to be clean fill under the Department's Management of Fill Policy.

The Department has now approved the determination and RAP, including mixtures of RAP and clean fill from the milling of the edge of roadway shoulders, is a coproduct on an industry-wide basis for the specific uses listed as follows:

a. As an aggregate, a subgrade or a subbase material for roadway construction, when used alone or blended with other materials in a manner that complies with Department of Transportation specifications as outlined in Publication No. 408 for roadway construction directly beneath and contained by a road surface paved with Portland cement concrete or bituminous pavement.

b. As a construction material for compacted roadway shoulder applications, including compacted shoulder pothole patching material in roadway or driveway apron applications as long as the material is covered with a thin bituminous coating (sealer) prior to the end of the construction season that placement occurred. The bituminous coating must comply with Department of Transportation specifications as outlined in Publication No. 408.

c. As a construction material for compacted shoulder backup applications (the compacted area adjacent to the shoulder).

d. As a construction material to construct or repave needed roadway or vehicle use areas such as parking lots or driveways if such application is performed when the RAP contains enough asphalt or additional binder to keep the material in place after compaction by mechanized rolling;

e. As a hot or cold mix product meeting applicable industry hot or cold mix product specifications.

As a coproduct in accordance with the Department's Determination, the use of RAP, including mixtures of RAP and clean fill from the milling of edge of roadway shoulders, shall be managed according to the conditions specified as follows. The use of RAP includes its transportation, placement and storage incidental to use.

a. In a manner that complies with the Solid Waste Management Act, the Air Pollution Control Act (35 P. S. §§ 4001—4015), The Clean Streams Law (35 P. S. §§ 691.1—691.1001), 25 Pa. Code Part I, Subpart D, Article IX (relating to residual waste management) and any other applicable environmental laws and regulations promulgated thereunder;

b. In a manner that does not create a nuisance or is harmful or presents a threat of harm to the public health, safety or the environment.

c. In a manner that prevents wind and water dispersal.

d. In a manner that does not involve storage of RAP for more than two construction seasons prior to use.

The Department's final Determination document is available by contacting Daniel Lapato, Division of Municipal and Residual Waste, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381, dlapato@state.pa.us. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 654-5984. The final Determination document is also accessible on the Department's website at www.depweb.state.pa.us (DEP Keywords "Public Participation, Participate"; then "Other Proposals" or DEP Keywords "Residual Waste").

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-761. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Bucks County GI Endoscopic Surgical Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Bucks County GI Endoscopic Surgical Center, LLC has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

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

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

[Pa.B. Doc. No. 06-762. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of Bucks County GI Endoscopic Surgical Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Bucks County GI Endoscopic Surgical Center,



LLC has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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

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

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

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

[Pa.B. Doc. No. 06-763. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of Chambersburg Endoscopy Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Chambersburg Endoscopy Center, LLC has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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

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

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

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

[Pa.B. Doc. No. 06-764. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of Geisinger Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Medical Center has requested an exception to the requirements of 28 Pa. Code § 101.4 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

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

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

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

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

[Pa.B. Doc. No. 06-765. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of Hospital of the University of Pennsylvania for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hospital of the University of Pennsylvania has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.10.E.1 (relating to space for MRI).

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

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

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

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

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

[Pa.B. Doc. No. 06-766. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Application of Plaza Surgical Center for Exception**

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

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

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

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

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

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

[Pa.B. Doc. No. 06-767. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Application of Plaza Surgical Center for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Plaza Surgical Center has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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

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

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

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

[Pa.B. Doc. No. 06-768. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Application of Regional Gastroenterology Associates of Lancaster, Ltd. for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Regional Gastroenterology Associates of Lancaster, Ltd. has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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

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

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

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

[Pa.B. Doc. No. 06-769. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Application of St. Agnes Long-Term Intensive Care Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Agnes Long-Term Intensive Care Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

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

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

[Pa.B. Doc. No. 06-770. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of Tri County Eye Surgery & Laser Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Tri County Eye Surgery & Laser Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

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

[Pa.B. Doc. No. 06-771. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of Valley View Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Valley View Surgical Center has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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

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

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

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

[Pa.B. Doc. No. 06-772. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of WellSpan Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that WellSpan Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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

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

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

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

[Pa.B. Doc. No. 06-773. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of West Chester Endoscopy, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that West Chester Endoscopy, LLC has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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

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

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

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

[Pa.B. Doc. No. 06-774. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of West Shore Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that West Shore Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

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

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

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

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

[Pa.B. Doc. No. 06-775. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of Williamsport Hospital & Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Williamsport Hospital & Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.22.C and D (relating to general storage).

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

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

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

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

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

[Pa.B. Doc. No. 06-776. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Application of Wyomissing Surgical Services for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Wyomissing Surgical Services has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative responsibilities).

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

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

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

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

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

[Pa.B. Doc. No. 06-777. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Availability of Title V Funds through Mini-Grants to Support Elimination of Barriers to Community Inclusion for Children and Youth with Special Health Care Needs

The Bureau of Family Health (Bureau) is accepting mini-grant applications up to \$3,000 related to eliminating barriers to inclusion of children and youth with special health care needs in communities in this Commonwealth. Mini-grants are available to support activities which directly address physical, environmental and informational barriers allowing community organizations, businesses, places of worship and schools to be more inclusive of children with special health care needs. This project is an extension of the Bureau's Building Inclusive Communities for Children/Youth With Special Health Care Needs Mini-grant Initiative which offers financial support for educational endeavors addressing community inclusion. Barrier Elimination Project (BE) funds will be used to advance this work by financially supporting the elimination of tangible barriers to inclusion.

For purposes of this funding opportunity, "children with special health care needs" are defined as those aged birth to 21 years who have or are at risk of developing a chronic physical, developmental, behavioral or emotional condition requiring services of a type or amount beyond that required by children generally.

The degree to which communities are healthy can be partly gauged by the degree to which children/youth with special health care needs are provided a full complement of services, civic engagement and social interaction. The

BE is designed to empower communities by providing financial support for activities that either remove or significantly reduce obstacles that children and youth with special health care needs and their families confront as they seek to participate fully and productively in their communities. These include barriers to self-care, activities of daily living, receptive/expressive communication, learning, mobility, access to service, recreation, academics, spiritual practice, volunteerism, hobby exploration, employment, voting and economic self-sufficiency. The ultimate goal of the project is to build social capital by assisting communities to be fully accessible and inclusive and, consequently, allow for the full integration of the children with special health care needs in this Commonwealth in all aspects of community life. BE funds must be used to reimburse purchases and activities occurring prior to June 30, 2007.

Eligible applicants are public and private organizations, foundations or community-based agencies in this Commonwealth as recognized by Federal Tax ID number. Individuals may not apply. Informal groups without Federal Tax ID numbers are encouraged to partner with a sponsor organization who may apply on behalf of the group. For-profit organizations may apply; however, no applicant may take a profit from these funds.

Applicants may include but are not limited to:

- Day care centers and child care providers.
- Educational providers.
- Community planners.
- Community groups/civic clubs.
- Potential employers/businesses.
- Libraries.
- Travel/tourism providers.
- Bankers/lenders.
- Minority groups.
- Medical/dental providers.
- Youth groups.
- Places of worship/congregations.
- Entertainment/recreation/play providers.
- Professional associations/organizations.
- Voting/polling providers.
- Park/forest/campground staff.
- Retailers.

Applicants may apply for funding for reimbursement of multiple purchases or activities. However, the maximum cumulative award to any one applicant (as identified by Federal Tax ID number) is \$3,000 per fiscal year when combined with any other funding received through a Department of Health (Department) mini-grant program. In all cases, Department funds should be used as payer of last resort. Grant funds may not supplant existing funds. Grant funds may be used for reimbursement of one-time purchases only, after which time the grantee becomes sole owner of the purchased property. Eligible expenses fall within the following categories: Equipment, Assistive Technology/Communication Devices, Site/Facility Improvements, Environment/Curriculum and Technology, as described in the application materials.

It is anticipated that 33-36 awards of \$3,000 or less will be made for this fiscal year period. Three deadlines have been set: August 2, 2006, with awards made known by

October 1, 2006; November 1, 2006, with awards made known by January 1, 2007; and January 16, 2007, with awards made known by March 1, 2007, but only if funds have not been fully awarded for the fiscal year. Check website before applying.

To apply for funding, seven copies of a complete application must be received by the Department no later than 4:30 p.m. on the dates identified previously. Applications may be mailed or hand delivered. Applications may not be faxed. Late applications will not be accepted, regardless of the reason. This is a reimbursement program. Grantees must spend their own funds first and then be reimbursed by the Department.

Funding decisions are contingent upon the availability of Fiscal Year 2006-2007 funds and Department approval by a proposal review panel. Approval will be based upon a common set of preestablished criteria, including:

1. The justifiable need for elimination of the proposed barriers to advance the inclusion of young people with disabilities, as justified by the applicant.
2. The number of young people with special needs who will ultimately benefit from elimination of the barrier.
3. The likelihood that the activities proposed will be of ongoing, systemic benefit to the community.
4. The reasonableness of proposed expenditures/purchases.

To meet the purposes of this program, applicants that propose activities with the potential to serve a large number of young people with special health care needs in environments that include many typically developing children generally receive higher scores.

To download more information and application materials from the Department's website, visit [www.health.state.pa.us](http://www.health.state.pa.us). Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) or to request application materials should contact Cindy Findley, Bureau of Family Health at (717) 772-2763 or for speech and/or hearing impaired persons, call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 06-778. Filed for public inspection May 5, 2006, 9:00 a.m.]

### **Availability of Title V Funds through Mini-Grants to Support Presentations about Building Inclusive Communities for Children and Youth with Special Health Care Needs**

The Bureau of Family Health is accepting mini-grant applications to promote the building of inclusive communities. Mini-grants are available to support innovative, interactive educational events (such as presentations, conference sessions, skits, trainings, forums, workshops, and the like) that will enhance community resources to promote inclusion of children and youth with special health care needs into everyday activities. For purposes of this funding opportunity, "children and youth with special health care needs" are defined as those aged birth to 21 years who have or are at risk of developing a chronic

physical, developmental, behavioral or emotional condition requiring services of a type or amount beyond that required by children generally.

The degree to which communities are healthy can be partly gauged by the degree to which children and youth with special health care needs are provided supports to contribute and be a part of the community. Such children and youth are often segregated and not offered full access to community, recreational, spiritual, social and educational life. The Building Inclusive Communities (BIC) mini-grant program attempts to address this issue by providing financial support for innovative educational initiatives designed to expand the knowledge and awareness of communities in this Commonwealth as it relates to the needs of this population. The ultimate goal of the BIC program is to build social capital and, consequently, allow for the full integration of this Commonwealth's children and youth with special health care needs into all aspects of community life. The mini-grants provide funding for events occurring prior to June 30, 2007.

Target audiences may include but are not limited to:

- Day care centers and child care providers.
- Educational providers.
- Community planners.
- Community groups/civic clubs.
- Employers/businesses.
- Professional associations/organizations.
- Voting/polling providers.
- Park/forest/campground staff.
- Retailers.
- Policymakers.
- Medical/dental providers.
- Youth groups.
- Places of worship/congregations.
- Entertainment/recreation/play potential.
- Families/relatives of children with special health care needs.
- Travel/tourism providers.
- Bankers/lenders.
- Minority groups.

Eligible applicants are public and private organizations, foundations or community-based agencies in this Commonwealth as recognized by Federal Tax ID number. For-profit entities may not apply. Individuals in informal groups without Federal Tax ID numbers are encouraged to partner with a sponsor organization who may apply on behalf of the group. Conference facilities must meet current Americans With Disabilities Act requirements.

To apply for funding, a complete application must be received by the Department of Health (Department) no fewer than 45 days prior to the date of the proposed educational event. Applications will be accepted until May 15, 2007.

Funding decisions are contingent upon the availability of Fiscal Year 2006-2007 funds and Department approval. Completed applications will be scored against a common set of criteria in the order that they are received by a proposal review panel. Those applications achieving a minimum score of 7.5 on a 10 point rating scale will be awarded as funds remain available. All applicants will be

notified of approval/disapproval in writing within 30 days of receipt of a completed application. Applicants not selected for funding will be notified and may revise their application once to conform to the guidelines for reconsideration. It is anticipated that 17-20 awards of \$3,000 or less will be made. This is a reimbursement program. Grantees must spend their own funds first and then be reimbursed by the Department.

Applicants may apply for funding to cover multiple presentations. However, the maximum cumulative award to any one applicant (as identified by Federal Tax ID number) is \$3,000 per fiscal year or for any one event when combined with any funding awards received through the Department's mini-grant program for the same fiscal year. Department funds should be used as payer of last resort. Grant funds may not be used to supplant existing funds. Applicant's requesting partial funding of an event must provide assurances that balance of funds have been secured.

Expenses eligible for reimbursement under this mini-grant include:

1. Speaker fees/honoraria.
2. Speaker travel costs to and from event (for example, airfare, train, automobile mileage, tolls, parking, and the like).
3. Speaker's lodging and subsistence.
4. Handout/resource material development/duplication.
5. Event promotion/media.
6. Audiovisual equipment rental/supplies.
7. Room rental costs.
8. Training supplies.

To download more information and application materials from the Department's website, visit [www.health.state.pa.us](http://www.health.state.pa.us). Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) or to request application materials should contact Cindy Findley, Bureau of Family Health at (717) 772-2763 or for speech and/or hearing impaired persons, call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 06-779. Filed for public inspection May 5, 2006, 9:00 a.m.]

### **Availability of Title V Funds to Fund Breastfeeding Awareness and Support Activities Through Mini-Grants**

The Bureau of Family Health is accepting mini-grant applications for breastfeeding awareness, community outreach and peer support activities occurring between July 1, 2006, and June 30, 2007. A maximum of \$3,000 is available for this fiscal year period.

A limited number of mini-grants for up to \$3,000 per 12-month period are available to support activities, events or services with the direct objective of: increasing the number of women who breastfeed for up to 1 year; increasing the number of people who consider breastfeeding acceptable and desirable; increasing the number of pregnant women who select breastfeeding as their long-

term infant feeding practice; and decreasing the negative stereotypes associated with breastfeeding among the general public.

The public health benefits of breastfeeding have been extensively documented. Experts agree that breastfeeding is the optimal way to feed infants. Breastfeeding significantly promotes infant and maternal immediate and long-term health, decreases the frequency of doctor visits, hospitalizations and medication utilization and thereby lowers medical costs. As a result, the decision to breastfeed is of significant importance to the newborn child, the mother and the public health and health care system.

Eligible applicants are public and private organizations, foundations or community-based agencies in this Commonwealth as recognized by a Federal Tax ID number. Individuals may not apply.

Applicants may include, but are not limited to:

- Medical care facilities.
- Medical providers.
- Educational providers.
- Youth groups.
- Community organizations.
- Employers/businesses.
- Professional associations.
- Local governments.
- Social/human service agencies.
- Schools.
- Colleges.
- Universities.

Agencies contracting with the Department of Health (Department) to provide Special Supplemental Nutrition Program for Women, Infants and Children (WIC) for the period July 1, 2006, through June 30, 2007, are not eligible to apply.

Funds may be used to support ongoing and one-time activities, events or services that promote the objectives of the program, including but not limited to: equipment, teaching tools, staff time to perform group counseling, community educational and advocacy functions, advertising, space rental for special activity and trainer expenses. Applicants may apply for funding to cover multiple purchases or activities, not to exceed \$3,000 cumulatively per grant period when combined with any funding received through a Department mini-grant program.

Completed applications will be accepted between May 1, 2006 and October 1, 2006. Applicants will be considered on a first-come first-served basis contingent upon the availability of 2006 fiscal year funds and Department approval. Copies of application forms and other background information are available on the Department's website ([www.health.state.pa.us](http://www.health.state.pa.us); search word: "breast-feeding mini-grant").

Completed applications will be scored by an independent review panel using a 10-point rating scale. The five rating factors are: soundness of approach (five points); documented need and target population selection (two points); resources leveraged and involvement of key stakeholders in application planning (one point); media involvement (one point); and evaluation/measurement of

results (one point). One bonus point will be given to any applicant with documented media commitment or involvement.

Applicants will be notified of approval or disapproval in writing within 30 days of receipt of a completed application. Applicants not selected for funding will be offered one opportunity to be reconsidered after revising their application to conform to the guidelines. All awardees are expected to abide by the provisions of the Federal funding source, the Title V Maternal and Child Health Block Grant (42 U.S.C.A § 701, et seq.).

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) or to request application materials or additional information should contact Martha Krautz, Program Coordinator, Breastfeeding Awareness and Support, Bureau of Family Health, Division of Community Systems Development and Outreach, Health and Welfare Building, 7th Floor East, 7th and Forester Streets, Harrisburg, PA 17120, (717) 772-2763, fax (717) 772-0323, [mkrautz@state.pa.us](mailto:mkrautz@state.pa.us) or for speech and/or hearing impaired persons, call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 06-780. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions).

Garden Spot Village  
433 S. Kinzer Avenue  
New Holland, PA 17557-9360  
FAC ID 14350200

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

HealthSouth Transitional Rehabilitation Center,  
Mechanicsburg  
4950 Wilson Ave.  
Mechanicsburg, PA 17055  
FAC ID 185702

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities).

Pinecrest Manor  
763 Johnsonburg Road  
St. Marys, PA 15857

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, [paexception@health.state.pa.us](mailto:paexception@health.state.pa.us).

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

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

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotope, Braille) should contact the Division of Nursing Care Facilities at the address or phone numbers listed previously or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-781. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Technical Advisory Regarding Notification of Enrollees Affected by the Termination of Nonprimary Care Providers/Specialists by a Managed Care Plan

Under 28 Pa. Code § 9.603 (relating to technical advisories), the Department of Health (Department), Bureau of Managed Care is issuing a technical advisory on the Department's interpretation of its regulation at 28 Pa. Code § 9.684(a)(3) (relating to continuity of care) regarding notification of enrollees affected by the termination of nonprimary care providers/specialists by a managed care plan.

Copies of the technical advisory may be obtained by contacting William Wiegmann, Director, Division of Certification, Bureau of Managed Care, Department of Health, Room 912, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA 17120, (717) 787-5193, or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact William Wiegmann at the previously listed address or telephone number.

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

[Pa.B. Doc. No. 06-782. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Thursday, June 1, 2006, from 10 a.m. to 3 p.m. in the Susquehanna Room, PaTTAN Harrisburg, 6340 Flank Drive, Harrisburg, PA 17112.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Carolyn S. Cass, Director, Division of Child and Adult Health Services at (717) 772-2762 or for speech and/or

hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 06-783. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

### Guidelines for Military Family Relief Assistance Program

The Department of Military and Veterans Affairs (Department) has developed guidelines for the administration of the Military Family Relief Assistance Program (program).

Under 51 Pa.C.S. § 7319(c) (relating to military family relief assistance), the Department, in consultation with the chairpersons and minority chairpersons of the House and Senate Appropriations Committees and Veterans' Affairs and Emergency Preparedness Committees, has developed and is publishing guidelines for this new program. The program, authorized by the act of July 7, 2005 (P. L. 149, No. 40) and the act of November 10, 2005 (P. L. 331, No. 65), is designed to provide assistance to military families that have a direct and immediate financial need as a result of the military service of the service member. This program is funded entirely by voluntary donations in the form of Pennsylvania Personal Income Tax Refund checkoffs and direct donations.

The guidelines published with this notice set forth eligibility criteria for the program, describe the maximum amount of assistance and maximum number of applicants per event or episode and describe other information necessary for the administration of this program.

Eligibility for assistance under the program is established by law and further explained under these guidelines. The program applies to residents of this Commonwealth who serve:

- On 30 or more consecutive days of active duty with the Army, Navy, Air Force or Marine Corps.
- On 30 or more consecutive days of active duty or State active duty in the Pennsylvania Army or Air National Guard.
- On 30 or more consecutive days of active duty with Army Reserve, Air Force Reserve, Navy Reserve or Marine Corps Reserve.

The program also applies to certain relatives of the eligible service members as long as the relatives are residents of this Commonwealth.

The guidelines, which are set forth at Annex A, were sent to the chairpersons and minority chairpersons of the House and Senate Appropriations and Veterans' Affairs and Emergency Preparedness Committee on March 27, 2006. Members of the committees and their staffs reviewed the draft guidelines and provided questions and suggestions. Under 51 Pa.C.S. § 7319(c), the committees are not required to take formal action when consulted on these guidelines, and the committees took no such actions.



Section 7319(c)(4) of 51 Pa.C.S. provides that these guidelines shall be published in the *Pennsylvania Bulletin* but shall not be subject to review under the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1102—1602), the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506) or the Regulatory Review Act (71 P. S. §§ 745.1—745.15).

Forms necessary to support applications for assistance under the program will be available on the Department's website at [www.dmv.state.pa.us](http://www.dmv.state.pa.us), military family action offices or from the Department of Military and Veterans Affairs, Bldg. P-0-47, Fort Indiantown Gap, Annville, PA 17003-5002.

These guidelines shall be effective upon publication in the *Pennsylvania Bulletin*. The Department anticipates that it will begin to accept applications for assistance under this program on or after May 8, 2006.

Questions about the program should be addressed to the Military Family Relief Assistance Program Office, Bureau of Administrative Services at (866) 292-7201 (toll free) or (717) 861-6227 or to the Department's Office of Chief Counsel at (717) 861-8503.

MAJOR GENERAL JESSICA L. WRIGHT  
*Adjutant General*

#### Annex A

### PENNSYLVANIA MILITARY FAMILY RELIEF ASSISTANCE PROGRAM GUIDELINES

1. *Purpose:* The Pennsylvania Military Family Relief Assistance Program (MFRAP) provides emergency assistance to eligible service members and eligible relatives of eligible service members. The Program is established to provide emergency assistance grants to families of persons who are residents of Pennsylvania and members of the armed forces.

2. *Fund Committee:* The Adjutant General will appoint an MFRAP Fund Committee, which will assist in administering the Pennsylvania Military Family Relief Assistance Program. The Fund Committee may make recommendations to the Adjutant General for prioritization of payments if available funds are insufficient to address all the financial needs requested; and recommend rule changes.

a. The Fund Committee will consist of:

(1) The Chief of Staff (COL/O6) and two COL/O6 alternates;

(2) Joint Force HQ Senior Enlisted Advisory (Command Sergeant Major) and Command Chief Master Sergeant (E9), PaANG, and three E9 alternatives, at least one of whom is a member of the PAARNG and one of whom is a member of the PaANG;

(3) An officer (O-4 or above) or senior enlisted member (E-8 or above) of another reserve component of the U.S. Armed Forces who is a resident of Pennsylvania and two reserve component alternates;

(4) Director of Administrative Services and two alternates;

(5) Joint Force HQ J1 (Personnel) and the PAARNG and PaANG senior military personnel officer and two alternates from the military personnel or human resource office of the HQ Pennsylvania National Guard.

b. The alternates ensure that a Committee can be formed immediately for emergency purposes. The design-

ated member will determine which alternate will attend when designated member is absent. Three members or their alternates must be present, either in person or by telephone, to conduct Fund Committee business.

#### 3. *Eligible Recipients:*

a. Members of the Armed Forces of the United States who were residents of Pennsylvania when they entered military service and are residents of Pennsylvania at the time of the application for assistance. A resident of Pennsylvania is defined as either of the following:

(1) An individual who is domiciled in this Commonwealth. The individual must either physically reside in Pennsylvania or be absent from the State pursuant to military orders. An individual's spouse or dependent who is domiciled in this Commonwealth who is stationed in another state or country shall qualify under the program as a resident of Pennsylvania so long as the person does not become domiciled in another state.

(2) An individual who qualifies under the definition of "Resident Individual" in section 301(P) of the act of March 4, 1971 (P. L. 6, No. 2), known as The Tax Reform Code of 1971.

#### b. *Eligible Service Member.*

(1) A member of the Armed Forces of the United States or its Reserve Components, including the Pennsylvania Army or Air National Guard, who is serving on active duty for a period of 30 or more consecutive days.

(2) A member of the Pennsylvania National Guard serving on State Active Duty for a period of 30 or more consecutive days.

#### c. *Eligible Relative of an Eligible Service Member.*

(1) The dependent spouse or dependent child of the eligible service member or, in the case of applicants for financial assistance to visit a hospitalized service member, the service member's spouse, parent, sibling or child.

(2) An eligible relative must be a legal resident (domiciliary) of Pennsylvania at the time of application for assistance. An otherwise eligible relative may retain eligibility if absent from the Commonwealth accompanying the eligible service member to military duty in another state or country.

#### 4. *Other Assistance.*

a. Except as provided in paragraph 4c, in order to qualify for assistance under this program, applicants are required to seek assistance from other available sources prior to award of MFRAP grants. Other available sources include, but are not limited to:

(1) Army Emergency Relief (AER) ([www.aerhq.org](http://www.aerhq.org));

(2) Air Force Aid Society (AFAS) ([www.afas.org](http://www.afas.org));

(3) Navy-Marine Corps Relief Society (NMCRS) ([www.nmcrs.org](http://www.nmcrs.org));

(4) Coast Guard Mutual Assistance (CMGA) ([www.cgmhq.org](http://www.cgmhq.org));

(5) Salvation Army ([www.salvationarmyusa.org](http://www.salvationarmyusa.org));

(6) American Red Cross (ARC) ([www.redcross.org](http://www.redcross.org));

(7) Veterans' Emergency Assistance if applicable ([www.dmv.state.pa.us](http://www.dmv.state.pa.us)).

b. The application for MFRAP assistance should include copies of applications for other forms of assistance filed by the applicant.

c. The approval authorities described in paragraph 9 may waive the requirement to seek assistance from other sources when unusual or exigent circumstances makes such application impractical or unlikely to produce results in a timely manner or when the applicant shows that the circumstances are such that other potential source of funds are inapplicable to the particular circumstances. The Level 1 approval authority may approve the waiver in cases involving applications for assistance in the amount of up to \$1,000 and the Level 2 approval authority may approve the waiver in cases seeking assistance of \$1,000 or more.

#### 5. *Application Process:*

a. Eligible recipients may apply for funds by submitting a completed application packet containing the following: A completed application for Pennsylvania Military Family Relief Assistance Program (PA MFRAP Form 01), signed by the applicant;

- (1) Proof of residency (if applicable);
- (2) Proof of military membership and member's active duty status;
- (3) Proof of dependency (if applicable);
- (4) Military member's most current Leave and Earnings Statement (LES);
- (5) Supporting documentation (if applicable), such as car repair estimates, rental agreements, utility bills, bank statements, employment records, etc.;
- (6) Certification, under penalty of law, that the information is true and correct to the best of the knowledge, information and belief of the application;
- (7) Verification, if applicable, from military commander/ first sergeant (senior NCO) of information submitted.

b. Applications, with support documents, must be mailed to: Department of Military and Veterans Affairs, ATTN: Military Family Relief Assistance Program, Building S-0-47, Fort Indiantown Gap, Annville, PA 17003-5002.

c. To expedite the application process, applications and supporting documents may be faxed to MFRAP (FAX Number: (717) 861-2680) or e-mailed to ra-pa-mfrap@state.pa.us. An application with the applicant's or authorized representative original signature must be submitted, along with the supporting documentation the MFRAP office.

d. If an application is submitted on behalf of an eligible service member or an eligible relative of an eligible service member, a copy of a fully-executed power of attorney authorizing the person submitting the application to act on the applicant's behalf must be submitted.

e. Application forms are available on-line at [ww.dmva.state.pa.us](http://ww.dmva.state.pa.us), from DMVA (Military Family Relief Assistance Program, Building S-0-47, Fort Indiantown Gap, Annville, PA 17003-5002) or from Pennsylvania National Guard Family Assistance Centers.

#### 6. *Grants:*

a. Applications for grants will be evaluated according to the criteria set forth in 51 Pa.C.S § 7319 and in paragraph 6 of these guidelines subject to the availability of funds and the exercise of the approval authority's discretion in evaluating the relative priority of requests if funds are not sufficient to satisfy all eligible requests.

b. As required by law, applicants must demonstrate that they have a direct and immediate financial need for

assistance as a result of the military service of the applicant. Such circumstances must be beyond the control of, and not the result of misconduct by, the applicant.

c. Grants may be made for purposes such as: food, rent, utilities, emergency transportation and vehicle repair, medical/dental expenses, short term personal needs when pay is delayed or stolen, emergency home repairs necessary to maintain habitability of essential areas (not for home improvements), as well as other emergency needs at the discretion of the approval authority.

d. Grants may also be made if it is demonstrated that financial need is caused by:

(1) The need for travel, lodging and subsistence for which the applicant lacks financial resources as a result of:

(a) The death or critical illness of an eligible member's parent, spouse, sibling or child.

(b) The wounding of the service member in the line of duty sustained as a result of combat or attack resulting in an immediate need for funds for travel, lodging, subsistence or other activities directly related to the casualty.

(c) No more than two eligible relatives of an eligible service member may receive assistance for travel under paragraph 6d(1)(b).

(2) A natural or manmade disaster resulting in the deprivation of food, shelter or other necessities of life.

(3) Emergency need for child care for dependent children.

e. It is recognized that neither 51 Pa.C.S. § 7319 nor these guidelines can describe every possible emergency scenario that might result in an eligible service member or their families having an immediate and direct financial need as a result of military service. Applicants may qualify for grants when they demonstrate the existence of financial need related to military service coupled with an emergency situation where the failure to obtain emergency assistance will substantially deter the service member from meeting his/her military obligations. The following situations are examples:

(1) Failure to receive pay and allowances in a timely manner because of errors in military pay systems where extraordinary circumstance exist precluding casual payment or advance payment.

(2) Loss of income as a result of permanent change of station or extended TDY causing member and family to move.

(3) Loss of employment of spouse due to member's service, extended TDY, or deployment.

(4) Unusual medical care costs incurred by the eligible member or dependents which are not covered by TRICARE or other government sources.

(5) The eligible member or dependents are victim(s) of crimes that result in loss of income, property or credit (e.g. identity theft, etc).

(6) The special needs of an eligible member or a dependent result in a need for assistance that cannot be met as a result of the eligible member's military service.

(7) The death of a relative of an eligible service member resulting in increased costs or sudden, unexpected loss of income or support.

f. MFRAP grants shall not be used to:

- (1) Help pay for nonessential items;
- (2) Finance vacations;
- (3) Pay fines or legal expenses in criminal matters;
- (4) Help liquidate or consolidate debt;
- (5) Assist with home purchase or home improvement;
- (6) Cover bad checks or pay credit card bills;
- (7) Establish credit for mortgages or car loans.

7. *Evaluation Criteria:* The criteria that will be considered in determining whether to approve applications for financial assistance include:

- a. Nature of assistance requested;
- b. Degree of financial hardship:
  - (1) Current family income;
  - (2) Current debts and obligations;
  - (3) Number of dependents.
- c. Connection between financial hardship and military member's active duty status:
  - (1) Change in income (based on military active duty);
  - (2) Changes in employment and income status of dependents related to military member's active duty status;
  - (3) Increased expenses due to military member's active duty;
  - (4) Military pay problems;
  - (5) Other issues of financial hardship related to military member's active duty.
- d. Bankruptcy filed or pending.
- e. Pending Disciplinary Action (military member only);
- f. Length of military duty;
- g. Other aid available and/or received;
- h. Amounts and date of any funds previously awarded to the applicant from this fund.

8. *Maximum Grants:*

a. The maximum grant under this program is \$2,500 or such lesser amount determined by The Adjutant General based on the amount of money in the MFRAP special fund.

b. No more than \$2,500 may be paid to an eligible service member and the eligible relatives of an eligible service member in any 12-month period. Eligibility for grants derives from the eligibility of the service member. This limit means that the eligible service member and all eligible relatives of the eligible service member may not receive (in total for all applicants) more than \$2,500 in any 12-month period.

c. Only one grant will be made for each event or episode to either the eligible service member or the eligible relative of the eligible service member, but not to both.

9. *Approval Authority:* The following shall have authority to act on requests for financial assistance, unless otherwise restricted by The Adjutant General:

a. Level 1. Requests for grants up to \$1,000 may be acted upon by the Pennsylvania Military Relief Assistance Program Coordinator.

b. Level 2. Requests for grants in excess of \$1,000 may be approved by the Fund Committee.

10. *Appeals and Reconsideration:* Any applicant aggrieved by a decision with respect to a grant application may appeal to The Adjutant General in writing within 10 days of receiving the decision. The appeal shall state the reasons for the appeal and describe the requested relief. The Adjutant General shall review the appeal and make a decision concerning it. In accordance with 51 Pa.C.S. § 7319(b)(4), The Adjutant General shall make the final determination concerning any appeal.

11. *Reporting Requirements:*

a. Beginning on or before July 30, 2006, and every year thereafter for the length of the program, the Department shall submit a report to the Chairperson and Minority Chairperson of the Appropriates Committee of the Senate, the Chairperson and Minority Chairperson of the Appropriations Committee of the House of Representatives, the Chairperson and Minority Chairman of the Veterans Affairs and Emergency Preparedness Committee of the Senate and the Chairperson and Minority Chairperson of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives detailing the program's guidelines, the number of applicants, the total amount of money raised and distributed and the type of applicant need.

b. The report shall also set forth any participation by a governmental or nongovernmental organization utilized in the furtherance of the program.

[Pa.B. Doc. No. 06-784. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Hospital Quality Care Investment Grant Program and Hospital Quality Incentive Pilot Program

The purpose of this notice is to provide public notice that the Department of Public Welfare (Department) is establishing a Hospital Quality Care Investment Grant Program and Hospital Quality Incentive Pilot Program for all acute care general hospitals that receive inpatient disproportionate share hospital (DSH) payments. Hospitals that receive inpatient DSH payments are eligible to apply for the Hospital Quality Care Investment Grant Program.

The Department published notice of its intent to establish a Hospital Quality Care Incentive Program at 35 Pa.B. 303 (January 8, 2005). Since that time the Department has collaboratively worked with the hospital industry in this Commonwealth to develop the Hospital Quality Care Investment Grant Program and Hospital Quality Incentive Pilot Program.

#### *Hospital Quality Care Investment Grant Program*

The purpose of the Hospital Quality Care Investment Grant Program is to establish an incentive for acute care general hospitals to initiate quality improvement projects by offsetting some of the costs related to implementing the quality improvement initiatives.

#### *Period of the Grants*

The grant period will be the State Fiscal Year (SFY) in which the grant is awarded. Grants will be awarded every SFY, beginning in the SFY 2005-2006.

*Grant Limit*

The grant funds will be distributed equally up to a maximum of \$100,000 among qualifying hospitals, except that under no conditions shall a grant be awarded for a greater amount than the total cost of the quality related project. Grants are limited to one per hospital per grant period.

*Spending Cycle*

All moneys awarded to a hospital under this grant program must be spent within a 12-month period beginning on the day that the hospital receives its grant payment. If a hospital is unable to spend all moneys within the 12-month period, the Department may issue an extension.

*Project Eligibility*

The Department will consider projects or investments that have a direct impact on the quality of medical services and positive patient outcomes for this grant program. The Department will only consider new investments or projects that have been started within the last 12 months of the SFY.

*Grant Application Reviews*

The Department will use a Peer Review Committee (PRC) to review the applications submitted by acute care general hospitals under the Hospital Quality Care Investment Grant Program and announce the grant awards.

A PRC will be organized to review the grant applications. The PRC will consist of the following:

- (1) The Deputy Secretary from the Office of Medical Assistance Programs, who shall serve as the PRC Chairperson.
- (2) Three representatives from the hospital community with backgrounds in hospital quality improvement, who do not have any grant applications under consideration, and at least two of whom are physicians.
- (3) One representative from the Pennsylvania Health Care Cost Containment Council (PHC4).
- (4) One representative from the Department of Health.
- (5) The Medical Director from the Office of Medical Assistance Programs.

The PRC will evaluate applications and measure the submissions against the Hospital Quality Incentive Pilot Program criteria. The PRC will consider reasonable, adequate and significant investments to fund quality improvement projects that meet any of the project criteria as having a direct impact on the quality of medical services and positive patient outcomes. The project criteria are as follows:

- (1) The project involves one of the designated technology projects of the Hospital Quality Care Incentive Program (Single Medical Record or Pharmacy Error Reduction projects).
- (2) The project involves piloting of emergency department claims.
- (3) The project demonstrates a positive impact on the treatment of asthma, diabetes, congestive heart failure (CHF), chronic obstructive pulmonary disease (COPD) or the acute care general hospital's ability to satisfactorily comply with the Hospital Quality Incentive Pilot Program's measures related to left ventricular function (LVF) assessment and community acquired pneumonia.

- (4) The project will have a direct impact on the quality of medical services and positive patient outcomes through a means not otherwise described in the project criteria.

*Hospital Quality Incentive Pilot Program*

The purpose of the Hospital Quality Incentive Pilot Program is to establish an incentive and to reward acute care general hospitals that demonstrate commitment to improved management of the healthcare needs of Medical Assistance (MA) recipients through the following:

- (1) Better management of chronic disease.
- (2) Better management of drug therapies.
- (3) Better coordination with physicians, MA managed care organizations and the Access Plus Program.
- (4) Investment in quality related infrastructure.

The Department will incrementally increase the adjustment factor applied to inpatient DSH and Medical Education payments for those acute care general hospitals that qualify under the Hospital Quality Incentive Pilot Program criteria, scoring matrix and scoring methodology established in this notice.

The Department will use the following criteria in determining the adjustments for those quality incentives.

*Hospital Quality Incentive Pilot Program Criteria**Measures for acute care general non-children's hospitals:*

- (1) *7-Day Readmission Rates* based on the most recent available PHC4 reports for the following:

- Asthma.
- Diabetes.
- CHF.
- COPD.

- (2) *LVF Assessment Score* as reported by the Department of Health and Human Services Hospital Compare.

- (3) *Pneumonia Mean Time to First Antibiotic Score* as reported by Department of Health and Human Services Hospital Compare.

- (4) *Implementation or Substantive Progress Towards the Use of a Formal Pharmacy Error Reduction Program* by using technology, improving processes, zeroing in on errors that cause harm and building a culture of safety will be awarded one point. The hospital must demonstrate material commitment. Examples include the following:

- Pharmacy Legibility Improvement Program.
- Participation in ECRI (formerly the Emergency Care Research Institute), Institute for Safe Medication Practices (ISMP) and Delaware Valley Healthcare Council Regional Medication Safety Program.
- Completion of the ISMP's Medication Safety Assessment for 2004.
- Participation in the Pittsburgh Regional Healthcare Initiative Medication Safety Program.
- Use of medication error reporting tool such as MEDMARX, a National, internet-accessible database that hospitals and health care systems use to track and trend adverse drug reactions and medication errors.
- Established confidential medication error reporting system.

- Implemented point of care bar coding medication administration system or Computerized Physician Order Entry (CPOE).

- Automated Pharmacy System.
- Pharmacist availability 24 hours per day, 7 days a week.

(5) *Reporting to One of the Following Quality Measurement Programs:* Leapfrog, Centers for Medicare and Medicaid Services (CMS) Premiere or Joint Commission on Accreditation of Healthcare Organizations (JCAHO) Quality Check

*Measures for acute care general children's hospitals:*

(1) *7-Day Readmission Rates* based on the most recent available PHC4 reports for asthma.

(2) *Implementation or Substantive Progress Towards the Use of a Single Electronic Medical Record* as described previously for acute care general non-children's hospitals.

(3) *Implementation or Substantive Progress Towards the Use of a Formal Pharmacy Error Reduction Program* as described previously for acute care general non-children's hospitals.

(4) *24-Hour Intensivist Coverage.*

(5) *Reporting to One of the Following:* Leapfrog or field testing of JCAHO Pediatric Quality Measures.

*Substantive progress may be evidenced by one of the following:*

(1) Documentation of completion of the project—include summary of project components.

(2) Documentation of completion of part of the project—include summary of project components completed and components remaining.

(3) A signed contract with a vendor to launch the project—include summary of project components.

(4) An official record of a decision by the hospital board of directors to commit funds to the project. The submitted official record of decision must include a summary of project components and documentation of the steps taken to secure a vendor.

*Adjustment Increases to Inpatient DSH and Medical Education Payments Based on Scoring*

The Department will use a scoring methodology for acute care general non-children's hospitals based on points in order to determine the adjustment factor increase to inpatient DSH and Medical Education payments for payments occurring after January 1, 2006, as follows:

- 12-15 points—150% of scheduled adjustment factor increase
- 8-11 points—125% of scheduled adjustment factor increase
- 5-7 points—100% of scheduled adjustment factor increase
- 1-4 points—75% of scheduled adjustment factor increase
- 0 points—no adjustment factor increase

The Department will use a scoring methodology for acute care general children's hospitals based on points to determine the adjustment factor increase to inpatient DSH and Medical Education payments for payments occurring after January 1, 2006, as follows:

- 5-6 points—150% of scheduled adjustment factor increase
- 3-4 points—125% of scheduled adjustment factor increase
- 2 points—100% of scheduled adjustment factor increase
- 1 points—75% of scheduled adjustment factor increase
- 0 points—no adjustment factor increase

*Scoring*

*Scoring Matrix for acute care general non-children's hospitals\**

- 2 points for fewer than expected readmissions for asthma, diabetes, CHF and COPD
- 1 point for expected readmissions for asthma, diabetes, CHF and COPD
- 0 points for more than expected readmissions for asthma, diabetes, CHF and COPD
- 2 points for hospitals who score in the top decile for the LVF Assessment Score or Pneumonia Mean Time to First Antibiotic Score
- 1 point for hospitals that score in the second, third and fourth deciles for the LVF Assessment Score or Pneumonia Mean Time to First Antibiotic Score
- 0 points for hospitals that score in the bottom decile for the LVF Assessment Score or Pneumonia Mean Time to First Antibiotic Score

• 1 point each for single medical record, pharmacy error reduction, and Leapfrog, CMS Premiere or JCAHO Quality Check

*Scoring matrix for acute care general children's hospitals\**

- 2 points for fewer than expected readmissions for asthma
- 1 point for expected readmissions for asthma
- 0 points for more than expected readmissions for asthma
- 1 point each for a single medical record and formal pharmacy error reduction program as described previously
- 1 point for 24-hour Intensivist Coverage
- 1 point for reporting to Leapfrog or field testing of JCAHO Pediatric Quality Measures

• Hospitals participating in the Hospital Quality Incentive Pilot Program that have an insufficient number of cases to calculate a 7-day readmission rate will be assigned one point for each of the four chronic conditions where a readmission rate is unavailable.

*Fiscal Impact*

The fiscal impact of these changes is estimated at \$1.512 million (\$0.680 million in State funds) in Fiscal Year (FY) 2005-2006 and \$1.920 million (\$0.870 million in State funds) in FY 2006-2007.

*Public Comment*

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

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

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-471. (1) General Fund; (2) Implementing Year 2005-06 is \$680,000; (3) 1st Succeeding Year 2006-07 is \$870,000; 2nd Succeeding Year 2007-08 is \$704,000; 3rd Succeeding Year 2008-09 is \$704,000; 4th

Succeeding Year 2009-10 is \$704,000; 5th Succeeding Year 2010-11 is \$704,000; (4) 2004-05 Program—\$531,785,000; 2003-04 Program—\$411,042,000; 2002-03 Program—\$407,104,000; (7) Medical Assistance—Inpatient; (8) recommends adoption. Funds are available in the 2005-2006 budget for this purpose. Funds have also been included in the Governor’s requested 2006-07 budget.

[Pa.B. Doc. No. 06-785. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Income Limits and Copayments for the Subsidized Child Care Program**

The purpose of this notice is to increase the income limits codified at 55 Pa. Code Chapter 3041, Appendix B (relating to subsidized child day care eligibility) under 55 Pa. Code § 3041.107(b) (relating to availability and use of the Federal Poverty Income Guidelines). This increase is effective May 1, 2006.

Section 3041.107(b) of 55 Pa. Code requires the Department of Public Welfare to update the copayment schedule in 55 Pa. Code Chapter 3041, Appendix B to reflect changes in the Federal Poverty Income Guidelines (FPIG). Effective May 1, 2006, the income guidelines for the subsidized child care program are increased due to increases in the FPIG. The copayment schedule is adjusted to reflect the increases. Chapter 3041, Appendix B of 55 Pa. Code also establishes the family copayment levels according to the family’s computed annual income and lists the weekly family copayment based on the annual family income.

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-474. No fiscal impact; (8) recommends adoption.

**APPENDIX B  
COPAYMENT CHART**

**FAMILY COPAYMENT SCALE  
(BASED ON THE 2006 FEDERAL POVERTY INCOME GUIDELINES)**

Weekly Co-pay	Family Size: 1 Annual Income		Family Size: 2 Annual Income		Family Size: 3 Annual Income	
	Less than:		Less than:		Less than:	
\$5.00	\$7,800	\$7,800	\$11,200	\$11,200	\$12,600	\$12,600
\$10.00	\$9,800	\$7,800.01	\$13,200	\$11,200.01	\$14,600	\$12,600.01
\$15.00	\$11,800	\$9,800.01	\$15,200	\$13,200.01	\$16,600	\$14,600.01
\$20.00	\$13,800	\$11,800.01	\$17,200	\$15,200.01	\$18,600	\$16,600.01
\$25.00	\$15,800	\$13,800.01	\$19,200	\$17,200.01	\$20,600	\$18,600.01
\$30.00	\$17,800	\$15,800.01	\$21,200	\$19,200.01	\$22,600	\$20,600.01
\$35.00	\$19,800	\$17,800.01	\$23,200	\$21,200.01	\$24,600	\$22,600.01
\$40.00	\$21,800	\$19,800.01	\$25,200	\$23,200.01	\$26,600	\$24,600.01
\$45.00	\$23,030	\$21,800.01	\$27,200	\$25,200.01	\$28,600	\$26,600.01
\$50.00			\$29,200	\$27,200.01	\$30,600	\$28,600.01
\$55.00			\$31,020	\$29,200.01	\$32,600	\$30,600.01
\$60.00					\$34,600	\$32,600.01
\$65.00					\$36,600	\$34,600.01
\$70.00					\$38,600	\$36,600.01
\$75.00					\$39,010	\$38,600.01
	200% FPIG	\$19,600	200% FPIG	\$26,400	\$33,200	200% FPIG

Weekly Co-pay	Family Size: 4 Annual Income		Family Size: 5 Annual Income		Family Size: 6 Annual Income	
	Less than:		Less than:		Less than:	
\$5.00	\$14,000	\$14,000	\$15,400	\$15,400	\$16,800	\$16,800
\$10.00	\$16,000	\$14,000.01	\$17,400	\$15,400.01	\$18,800	\$16,800.01
\$15.00	\$18,000	\$16,000.01	\$19,400	\$17,400.01	\$20,800	\$18,800.01

<i>Weekly Co-pay</i>	<i>Family Size: 4 Annual Income</i>		<i>Family Size: 5 Annual Income</i>		<i>Family Size: 6 Annual Income</i>	
\$20.00	\$18,000.01	\$20,000	\$19,400.01	\$21,400	\$20,800.01	\$22,800
\$25.00	\$20,000.01	\$22,000	\$21,400.01	\$23,400	\$22,800.01	\$24,800
\$30.00	\$22,000.01	\$24,000	\$23,400.01	\$25,400	\$24,800.01	\$26,800
\$35.00	\$24,000.01	\$26,000	\$25,400.01	\$27,400	\$26,800.01	\$28,800
\$40.00	\$26,000.01	\$28,000	\$27,400.01	\$29,400	\$28,800.01	\$30,800
\$45.00	\$28,000.01	\$30,000	\$29,400.01	\$31,400	\$30,800.01	\$32,800
\$50.00	\$30,000.01	\$32,000	\$31,400.01	\$33,400	\$32,800.01	\$34,800
\$55.00	\$32,000.01	\$34,000	\$33,400.01	\$35,400	\$34,800.01	\$36,800
\$60.00	\$34,000.01	\$36,000	\$35,400.01	\$37,400	\$36,800.01	\$38,800
\$65.00	\$36,000.01	\$38,000	\$37,400.01	\$39,400	\$38,800.01	\$40,800
\$70.00	\$38,000.01	\$40,000	\$39,400.01	\$41,400	\$40,800.01	\$42,800
\$75.00	\$40,000.01	\$42,000	\$41,400.01	\$43,400	\$42,800.01	\$44,800
\$80.00	\$42,000.01	\$44,000	\$43,400.01	\$45,400	\$44,800.01	\$46,800
\$85.00	\$44,000.01	\$46,000	\$45,400.01	\$47,400	\$46,800.01	\$48,800
\$90.00	\$46,000.01	\$47,000	\$47,400.01	\$49,400	\$48,800.01	\$50,800
\$95.00			\$49,400.01	\$51,400	\$50,800.01	\$52,800
\$100.00			\$51,400.01	\$53,400	\$52,800.01	\$54,800
\$105.00			\$53,400.01	\$54,990	\$54,800.01	\$56,800
\$110.00					\$56,800.01	\$58,800
\$115.00					\$58,800.01	\$60,800
\$120.00					\$60,800.01	\$62,800
\$125.00					\$62,800.01	\$62,980
	200% FPIG	\$40,000	200% FPIG	\$46,800	200% FPIG	\$53,600

<i>Weekly Co-pay</i>	<i>Family Size: 7 Annual Income</i>		<i>Family Size: 8 Annual Income</i>		<i>Family Size: 9 Annual Income</i>	
\$5.00	Less than:	\$18,200	Less than:	\$19,600	Less than:	\$21,000
\$10.00	\$18,200.01	\$20,200	\$19,600.01	\$21,600	\$21,000.01	\$23,000
\$15.00	\$20,200.01	\$22,200	\$21,600.01	\$23,600	\$23,000.01	\$25,000
\$20.00	\$22,200.01	\$24,200	\$23,600.01	\$25,600	\$25,000.01	\$27,000
\$25.00	\$24,200.01	\$26,200	\$25,600.01	\$27,600	\$27,000.01	\$29,000
\$30.00	\$26,200.01	\$28,200	\$27,600.01	\$29,600	\$29,000.01	\$31,000
\$35.00	\$28,200.01	\$30,200	\$29,600.01	\$31,600	\$31,000.01	\$33,000
\$40.00	\$30,200.01	\$32,200	\$31,600.01	\$33,600	\$33,000.01	\$35,000
\$45.00	\$32,200.01	\$34,200	\$33,600.01	\$35,600	\$35,000.01	\$37,000
\$50.00	\$34,200.01	\$36,200	\$35,600.01	\$37,600	\$37,000.01	\$39,000
\$55.00	\$36,200.01	\$38,200	\$37,600.01	\$39,600	\$39,000.01	\$41,000
\$60.00	\$38,200.01	\$40,200	\$39,600.01	\$41,600	\$41,000.01	\$43,000
\$65.00	\$40,200.01	\$42,200	\$41,600.01	\$43,600	\$43,000.01	\$45,000
\$70.00	\$42,200.01	\$44,200	\$43,600.01	\$45,600	\$45,000.01	\$47,000
\$75.00	\$44,200.01	\$46,200	\$45,600.01	\$47,600	\$47,000.01	\$49,000
\$80.00	\$46,200.01	\$48,200	\$47,600.01	\$49,600	\$49,000.01	\$51,000
\$85.00	\$48,200.01	\$50,200	\$49,600.01	\$51,600	\$51,000.01	\$53,000
\$90.00	\$50,200.01	\$52,200	\$51,600.01	\$53,600	\$53,000.01	\$55,000
\$95.00	\$52,200.01	\$54,200	\$53,600.01	\$55,600	\$55,000.01	\$57,000

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<i>Weekly Co-pay</i>	<i>Family Size: 7 Annual Income</i>	
\$100.00	\$54,200.01	\$56,200
\$105.00	\$56,200.01	\$58,200
\$110.00	\$58,200.01	\$60,200
\$115.00	\$60,200.01	\$62,200
\$120.00	\$62,200.01	\$64,200
\$125.00	\$64,200.01	\$66,200
\$130.00	\$66,200.01	\$68,200
\$135.00	\$68,200.01	\$70,200
\$140.00	\$70,200.01	\$70,970
\$145.00		
\$150.00		
\$155.00		
\$160.00		
\$165.00		
\$170.00		
	200% FPIG	\$60,400

<i>Family Size: 8 Annual Income</i>	
\$55,600.01	\$57,600
\$57,600.01	\$59,600
\$59,600.01	\$61,600
\$61,600.01	\$63,600
\$63,600.01	\$65,600
\$65,600.01	\$67,600
\$67,600.01	\$69,600
\$69,600.01	\$71,600
\$71,600.01	\$73,600
\$73,600.01	\$75,600
\$75,600.01	\$77,600
\$77,600.01	\$78,960
200% FPIG	\$67,200

<i>Family Size: 9 Annual Income</i>	
\$57,000.01	\$59,000
\$59,000.01	\$61,000
\$61,000.01	\$63,000
\$63,000.01	\$65,000
\$65,000.01	\$67,000
\$67,000.01	\$69,000
\$69,000.01	\$71,000
\$71,000.01	\$73,000
\$73,000.01	\$75,000
\$75,000.01	\$77,000
\$77,000.01	\$79,000
\$79,000.01	\$81,000
\$81,000.01	\$83,000
\$83,000.01	\$85,000
\$85,000.01	\$86,950
200% FPIG	\$74,000

<i>Weekly Co-pay</i>	<i>Family Size: 10 Annual Income</i>	
\$5.00	Less than:	\$22,400
\$10.00	\$22,400.01	\$24,400
\$15.00	\$24,400.01	\$26,400
\$20.00	\$26,400.01	\$28,400
\$25.00	\$28,400.01	\$30,400
\$30.00	\$30,400.01	\$32,400
\$35.00	\$32,400.01	\$34,400
\$40.00	\$34,400.01	\$36,400
\$45.00	\$36,400.01	\$38,400
\$50.00	\$38,400.01	\$40,400
\$55.00	\$40,400.01	\$42,400
\$60.00	\$42,400.01	\$44,400
\$65.00	\$44,400.01	\$46,400
\$70.00	\$46,400.01	\$48,400
\$75.00	\$48,400.01	\$50,400
\$80.00	\$50,400.01	\$52,400
\$85.00	\$52,400.01	\$54,400
\$90.00	\$54,400.01	\$56,400
\$95.00	\$56,400.01	\$58,400
\$100.00	\$58,400.01	\$60,400
\$105.00	\$60,400.01	\$62,400
\$110.00	\$62,400.01	\$64,400
\$115.00	\$64,400.01	\$66,400
\$120.00	\$66,400.01	\$68,400
\$125.00	\$68,400.01	\$70,400
\$130.00	\$70,400.01	\$72,400

<i>Family Size: 11 Annual Income</i>	
Less than:	\$23,800
\$23,800.01	\$25,800
\$25,800.01	\$27,800
\$27,800.01	\$29,800
\$29,800.01	\$31,800
\$31,800.01	\$33,800
\$33,800.01	\$35,800
\$35,800.01	\$37,800
\$37,800.01	\$39,800
\$39,800.01	\$41,800
\$41,800.01	\$43,800
\$43,800.01	\$45,800
\$45,800.01	\$47,800
\$47,800.01	\$49,800
\$49,800.01	\$51,800
\$51,800.01	\$53,800
\$53,800.01	\$55,800
\$55,800.01	\$57,800
\$57,800.01	\$59,800
\$59,800.01	\$61,800
\$61,800.01	\$63,800
\$63,800.01	\$65,800
\$65,800.01	\$67,800
\$67,800.01	\$69,800
\$69,800.01	\$71,800
\$71,800.01	\$73,800

<i>Family Size: 12 Annual Income</i>	
Less than:	\$25,200
\$25,200.01	\$27,200
\$27,200.01	\$29,200
\$29,200.01	\$31,200
\$31,200.01	\$33,200
\$33,200.01	\$35,200
\$35,200.01	\$37,200
\$37,200.01	\$39,200
\$39,200.01	\$41,200
\$41,200.01	\$43,200
\$43,200.01	\$45,200
\$45,200.01	\$47,200
\$47,200.01	\$49,200
\$49,200.01	\$51,200
\$51,200.01	\$53,200
\$53,200.01	\$55,200
\$55,200.01	\$57,200
\$57,200.01	\$59,200
\$59,200.01	\$61,200
\$61,200.01	\$63,200
\$63,200.01	\$65,200
\$65,200.01	\$67,200
\$67,200.01	\$69,200
\$69,200.01	\$71,200
\$71,200.01	\$73,200
\$73,200.01	\$75,200



<i>Weekly Co-pay</i>	<i>Family Size: 10 Annual Income</i>	
\$135.00	\$72,400.01	\$74,400
\$140.00	\$74,400.01	\$76,400
\$145.00	\$76,400.01	\$78,400
\$150.00	\$78,400.01	\$80,400
\$155.00	\$80,400.01	\$82,400
\$160.00	\$82,400.01	\$84,400
\$165.00	\$84,400.01	\$86,400
\$170.00	\$86,400.01	\$88,400
\$175.00	\$88,400.01	\$90,400
\$180.00	\$90,400.01	\$92,400
\$185.00	\$92,400.01	\$94,400
\$190.00	\$94,400.01	\$94,940
\$195.00		
\$200.00		
\$205.00		
\$210.00		
\$215.00		
\$220.00		
	200% FPIG	\$80,800

<i>Family Size: 11 Annual Income</i>		
\$73,800.01	\$75,800	
\$75,800.01	\$77,800	
\$77,800.01	\$79,800	
\$79,800.01	\$81,800	
\$81,800.01	\$83,800	
\$83,800.01	\$85,800	
\$85,800.01	\$87,800	
\$87,800.01	\$89,800	
\$89,800.01	\$91,800	
\$91,800.01	\$93,800	
\$93,800.01	\$95,800	
\$95,800.01	\$97,800	
\$97,800.01	\$99,800	
\$99,800.01	\$101,800	
\$101,800.01	\$102,930	
	200% FPIG	\$87,600

<i>Family Size: 12 Annual Income</i>		
\$75,200.01	\$77,200	
\$77,200.01	\$79,200	
\$79,200.01	\$81,200	
\$81,200.01	\$83,200	
\$83,200.01	\$85,200	
\$85,200.01	\$87,200	
\$87,200.01	\$89,200	
\$89,200.01	\$91,200	
\$91,200.01	\$93,200	
\$93,200.01	\$95,200	
\$95,200.01	\$97,200	
\$97,200.01	\$99,200	
\$99,200.01	\$101,200	
\$101,200.01	\$103,200	
\$103,200.01	\$105,200	
\$105,200.01	\$107,200	
\$107,200.01	\$109,200	
\$109,200.01	\$110,920	
	200% FPIG	\$94,400

<i>Weekly Co-pay</i>	<i>Family Size: 13 Annual Income</i>	
\$5.00	Less than:	\$26,600
\$10.00	\$26,600.01	\$28,600
\$15.00	\$28,600.01	\$30,600
\$20.00	\$30,600.01	\$32,600
\$25.00	\$32,600.01	\$34,600
\$30.00	\$34,600.01	\$36,600
\$35.00	\$36,600.01	\$38,600
\$40.00	\$38,600.01	\$40,600
\$45.00	\$40,600.01	\$42,600
\$50.00	\$42,600.01	\$44,600
\$55.00	\$44,600.01	\$46,600
\$60.00	\$46,600.01	\$48,600
\$65.00	\$48,600.01	\$50,600
\$70.00	\$50,600.01	\$52,600
\$75.00	\$52,600.01	\$54,600
\$80.00	\$54,600.01	\$56,600
\$85.00	\$56,600.01	\$58,600
\$90.00	\$58,600.01	\$60,600
\$95.00	\$60,600.01	\$62,600
\$100.00	\$62,600.01	\$64,600
\$105.00	\$64,600.01	\$66,600
\$110.00	\$66,600.01	\$68,600
\$115.00	\$68,600.01	\$70,600

<i>Family Size: 14 Annual Income</i>	
Less than:	\$28,000
\$28,000.01	\$30,000
\$30,000.01	\$32,000
\$32,000.01	\$34,000
\$34,000.01	\$36,000
\$36,000.01	\$38,000
\$38,000.01	\$40,000
\$40,000.01	\$42,000
\$42,000.01	\$44,000
\$44,000.01	\$46,000
\$46,000.01	\$48,000
\$48,000.01	\$50,000
\$50,000.01	\$52,000
\$52,000.01	\$54,000
\$54,000.01	\$56,000
\$56,000.01	\$58,000
\$58,000.01	\$60,000
\$60,000.01	\$62,000
\$62,000.01	\$64,000
\$64,000.01	\$66,000
\$66,000.01	\$68,000
\$68,000.01	\$70,000
\$70,000.01	\$72,000

<i>Family Size: 15 Annual Income</i>	
Less than:	\$29,400
\$29,400.01	\$31,400
\$31,400.01	\$33,400
\$33,400.01	\$35,400
\$35,400.01	\$37,400
\$37,400.01	\$39,400
\$39,400.01	\$41,400
\$41,400.01	\$43,400
\$43,400.01	\$45,400
\$45,400.01	\$47,400
\$47,400.01	\$49,400
\$49,400.01	\$51,400
\$51,400.01	\$53,400
\$53,400.01	\$55,400
\$55,400.01	\$57,400
\$57,400.01	\$59,400
\$59,400.01	\$61,400
\$61,400.01	\$63,400
\$63,400.01	\$65,400
\$65,400.01	\$67,400
\$67,400.01	\$69,400
\$69,400.01	\$71,400
\$71,400.01	\$73,400

## NOTICES

<i>Weekly Co-pay</i>	<i>Family Size: 13 Annual Income</i>		<i>Family Size: 14 Annual Income</i>		<i>Family Size: 15 Annual Income</i>	
\$120.00	\$70,600.01	\$72,600	\$72,000.01	\$74,000	\$73,400.01	\$75,400
\$125.00	\$72,600.01	\$74,600	\$74,000.01	\$76,000	\$75,400.01	\$77,400
\$130.00	\$74,600.01	\$76,600	\$76,000.01	\$78,000	\$77,400.01	\$79,400
\$135.00	\$76,600.01	\$78,600	\$78,000.01	\$80,000	\$79,400.01	\$81,400
\$140.00	\$78,600.01	\$80,600	\$80,000.01	\$82,000	\$81,400.01	\$83,400
\$145.00	\$80,600.01	\$82,600	\$82,000.01	\$84,000	\$83,400.01	\$85,400
\$150.00	\$82,600.01	\$84,600	\$84,000.01	\$86,000	\$85,400.01	\$87,400
\$155.00	\$84,600.01	\$86,600	\$86,000.01	\$88,000	\$87,400.01	\$89,400
\$160.00	\$86,600.01	\$88,600	\$88,000.01	\$90,000	\$89,400.01	\$91,400
\$165.00	\$88,600.01	\$90,600	\$90,000.01	\$92,000	\$91,400.01	\$93,400
\$170.00	\$90,600.01	\$92,600	\$92,000.01	\$94,000	\$93,400.01	\$95,400
\$175.00	\$92,600.01	\$94,600	\$94,000.01	\$96,000	\$95,400.01	\$97,400
\$180.00	\$94,600.01	\$96,600	\$96,000.01	\$98,000	\$97,400.01	\$99,400
\$185.00	\$96,600.01	\$98,600	\$98,000.01	\$100,000	\$99,400.01	\$101,400
\$190.00	\$98,600.01	\$100,600	\$100,000.01	\$102,000	\$101,400.01	\$103,400
\$195.00	\$100,600.01	\$102,600	\$102,000.01	\$104,000	\$103,400.01	\$105,400
\$200.00	\$102,600.01	\$104,600	\$104,000.01	\$106,000	\$105,400.01	\$107,400
\$205.00	\$104,600.01	\$106,600	\$106,000.01	\$108,000	\$107,400.01	\$109,400
\$210.00	\$106,600.01	\$108,600	\$108,000.01	\$110,000	\$109,400.01	\$111,400
\$215.00	\$108,600.01	\$110,600	\$110,000.01	\$112,000	\$111,400.01	\$113,400
\$220.00	\$110,600.01	\$112,600	\$112,000.01	\$114,000	\$113,400.01	\$115,400
\$225.00	\$112,600.01	\$114,600	\$114,000.01	\$116,000	\$115,400.01	\$117,400
\$230.00	\$114,600.01	\$116,600	\$116,000.01	\$118,000	\$117,400.01	\$119,400
\$235.00	\$116,600.01	\$118,600	\$118,000.01	\$120,000	\$119,400.01	\$121,400
\$240.00	\$118,600.01	\$118,910	\$120,000.01	\$122,000	\$121,400.01	\$123,400
\$245.00			\$122,000.01	\$124,000	\$123,400.01	\$125,400
\$250.00			\$124,000.01	\$126,000	\$125,400.01	\$127,400
\$255.00			\$126,000.01	\$126,900	\$127,400.01	\$129,400
\$260.00					\$129,400.01	\$131,400
\$265.00					\$131,400.01	\$133,400
\$270.00					\$133,400.01	\$134,890
	200% FPIG	\$101,200	200% FPIG	\$108,000	200% FPIG	\$114,800

<i>Weekly Co-pay</i>	<i>Family Size: 16 Annual Income</i>		<i>Family Size: 17 Annual Income</i>		<i>Family Size: 18 Annual Income</i>	
\$5.00	Less than:	\$32,800	Less than:	\$34,200	Less than:	\$35,600
\$10.00	\$32,800.01	\$34,800	\$34,200.01	\$36,200	\$35,600.01	\$37,600
\$15.00	\$34,800.01	\$36,800	\$36,200.01	\$38,200	\$37,600.01	\$39,600
\$20.00	\$36,800.01	\$38,800	\$38,200.01	\$40,200	\$39,600.01	\$41,600
\$25.00	\$38,800.01	\$40,800	\$40,200.01	\$42,200	\$41,600.01	\$43,600
\$30.00	\$40,800.01	\$42,800	\$42,200.01	\$44,200	\$43,600.01	\$45,600
\$35.00	\$42,800.01	\$44,800	\$44,200.01	\$46,200	\$45,600.01	\$47,600
\$40.00	\$44,800.01	\$46,800	\$46,200.01	\$48,200	\$47,600.01	\$49,600
\$45.00	\$46,800.01	\$48,800	\$48,200.01	\$50,200	\$49,600.01	\$51,600
\$50.00	\$48,800.01	\$50,800	\$50,200.01	\$52,200	\$51,600.01	\$53,600

<i>Weekly Co-pay</i>	<i>Family Size: 16 Annual Income</i>		<i>Family Size: 17 Annual Income</i>		<i>Family Size: 18 Annual Income</i>	
\$55.00	\$50,800.01	\$52,800	\$52,200.01	\$54,200	\$53,600.01	\$55,600
\$60.00	\$52,800.01	\$54,800	\$54,200.01	\$56,200	\$55,600.01	\$57,600
\$65.00	\$54,800.01	\$56,800	\$56,200.01	\$58,200	\$57,600.01	\$59,600
\$70.00	\$56,800.01	\$58,800	\$58,200.01	\$60,200	\$59,600.01	\$61,600
\$75.00	\$58,800.01	\$60,800	\$60,200.01	\$62,200	\$61,600.01	\$63,600
\$80.00	\$60,800.01	\$62,800	\$62,200.01	\$64,200	\$63,600.01	\$65,600
\$85.00	\$62,800.01	\$64,800	\$64,200.01	\$66,200	\$65,600.01	\$67,600
\$90.00	\$64,800.01	\$66,800	\$66,200.01	\$68,200	\$67,600.01	\$69,600
\$95.00	\$66,800.01	\$68,800	\$68,200.01	\$70,200	\$69,600.01	\$71,600
\$100.00	\$68,800.01	\$70,800	\$70,200.01	\$72,200	\$71,600.01	\$73,600
\$105.00	\$70,800.01	\$72,800	\$72,200.01	\$74,200	\$73,600.01	\$75,600
\$110.00	\$72,800.01	\$74,800	\$74,200.01	\$76,200	\$75,600.01	\$77,600
\$115.00	\$74,800.01	\$76,800	\$76,200.01	\$78,200	\$77,600.01	\$79,600
\$120.00	\$76,800.01	\$78,800	\$78,200.01	\$80,200	\$79,600.01	\$81,600
\$125.00	\$78,800.01	\$80,800	\$80,200.01	\$82,200	\$81,600.01	\$83,600
\$130.00	\$80,800.01	\$82,800	\$82,200.01	\$84,200	\$83,600.01	\$85,600
\$135.00	\$82,800.01	\$84,800	\$84,200.01	\$86,200	\$85,600.01	\$87,600
\$140.00	\$84,800.01	\$86,800	\$86,200.01	\$88,200	\$87,600.01	\$89,600
\$145.00	\$86,800.01	\$88,800	\$88,200.01	\$90,200	\$89,600.01	\$91,600
\$150.00	\$88,800.01	\$90,800	\$90,200.01	92,200	\$91,600.01	\$93,600
\$155.00	\$90,800.01	\$92,800	\$92,200.01	\$94,200	\$93,600.01	\$95,600
\$160.00	\$92,800.01	\$94,800	\$94,200.01	\$96,200	\$95,600.01	\$97,600
\$165.00	94,800.01	\$96,800	\$96,200.01	\$98,200	97,600.01	\$99,600
\$170.00	\$96,800.01	\$98,800	\$98,200.01	\$100,200	\$99,600.01	\$101,600
\$175.00	\$98,800.01	\$100,800	\$100,200.01	\$102,200	\$101,600.01	\$103,600
\$180.00	\$100,800.01	\$102,800	\$102,200.01	\$104,200	\$103,600.01	\$105,600
\$185.00	\$102,800.01	\$104,800	\$104,200.01	\$106,200	\$105,600.01	\$107,600
\$190.00	\$104,800.01	\$106,800	\$106,200.01	\$108,200	\$107,600.01	\$109,600
\$195.00	\$106,800.01	\$108,800	\$108,200.01	\$110,200	\$109,600.01	\$111,600
\$200.00	\$108,800.01	\$110,800	\$110,200.01	\$112,200	\$111,600.01	\$113,600
\$205.00	\$110,800.01	\$112,800	\$112,200.01	\$114,200	\$113,600.01	\$115,600
\$210.00	\$112,800.01	\$114,800	\$114,200.01	\$116,200	\$115,600.01	\$117,600
\$215.00	\$114,800.01	\$116,800	\$116,200.01	\$118,200	\$117,600.01	\$119,600
\$220.00	\$116,800.01	\$118,800	\$118,200.01	\$120,200	\$119,600.01	\$121,600
\$225.00	\$118,800.01	\$120,800	\$120,200.01	\$122,200	\$121,600.01	\$123,600
\$230.00	\$120,800.01	\$122,800	\$122,200.01	\$124,200	\$123,600.01	\$125,600
\$235.00	\$122,800.01	\$124,800	\$124,200.01	\$126,200	\$125,600.01	\$127,600
\$240.00	\$124,800.01	\$126,800	\$126,200.01	\$128,200	\$127,600.01	\$129,600
\$245.00	\$126,800.01	\$128,800	\$128,200.01	\$130,200	\$129,600.01	\$131,600
\$250.00	\$128,800.01	\$130,800	\$130,200.01	\$132,200	\$131,600.01	\$133,600
\$255.00	\$130,800.01	\$132,800	\$132,200.01	\$134,200	\$133,600.01	\$135,600
\$260.00	\$132,800.01	\$134,800	\$134,200.01	\$136,200	\$135,600.01	\$137,600
\$265.00	\$134,800.01	\$136,800	\$136,200.01	\$138,200	\$137,600.01	\$139,600
\$270.00	\$136,800.01	\$138,800	\$138,200.01	\$140,200	\$139,600.01	\$141,600
\$275.00	\$138,800.01	\$140,800	\$140,200.01	\$142,200	\$141,600.01	\$143,600
\$280.00	\$140,800.01	\$142,800	\$142,200.01	\$144,200	\$143,600.01	\$145,600

NOTICES

<i>Weekly Co-pay</i>	<i>Family Size: 16 Annual Income</i>	
\$285.00	\$142,800.01	\$142,880
\$290.00		
\$295.00		
\$300.00		
\$305.00		
\$310.00		
\$315.00		
	200% FPIG	\$121,600

<i>Family Size: 17 Annual Income</i>	
\$144,200.01	\$146,200
\$146,200.01	\$148,200
\$148,200.01	\$150,200
\$150,200.01	\$150,870
200% FPIG	\$128,400

<i>Family Size: 18 Annual Income</i>	
\$145,600.01	\$147,600
\$147,600.01	\$149,600
\$149,600.01	\$151,600
\$151,600.01	\$153,600
\$153,600.01	\$155,600
\$155,600.01	\$157,600
\$157,600.01	\$158,860
200% FPIG	\$135,200

<i>Weekly Co-pay</i>	<i>Family Size: 19 Annual Income</i>	
\$5.00	Less than:	\$37,000
\$10.00	\$37,000.01	\$39,000
\$15.00	\$39,000.01	\$41,000
\$20.00	\$41,000.01	\$43,000
\$25.00	\$43,000.01	\$45,000
\$30.00	\$45,000.01	\$47,000
\$35.00	\$47,000.01	\$49,000
\$40.00	\$49,000.01	\$51,000
\$45.00	\$51,000.01	\$53,000
\$50.00	\$53,000.01	\$55,000
\$55.00	\$55,000.01	\$57,000
\$60.00	\$57,000.01	\$59,000
\$65.00	\$59,000.01	\$61,000
\$70.00	\$61,000.01	\$63,000
\$75.00	\$63,000.01	\$65,000
\$80.00	\$65,000.01	\$67,000
\$85.00	\$67,000.01	\$69,000
\$90.00	\$69,000.01	\$71,000
\$95.00	\$71,000.01	\$73,000
\$100.00	\$73,000.01	\$75,000
\$105.00	\$75,000.01	\$77,000
\$110.00	\$77,000.01	\$79,000
\$115.00	\$79,000.01	\$81,000
\$120.00	\$81,000.01	\$83,000
\$125.00	\$83,000.01	\$85,000
\$130.00	\$85,000.01	\$87,000
\$135.00	\$87,000.01	\$89,000
\$140.00	\$89,000.01	\$91,000
\$145.00	\$91,000.01	\$93,000
\$150.00	\$93,000.01	\$95,000
\$155.00	\$95,000.01	\$97,000
\$160.00	\$97,000.01	\$99,000
\$165.00	\$99,000.01	\$101,000
\$170.00	\$101,000.01	\$103,000

<i>Family Size: 20 Annual Income</i>	
Less than:	\$38,400
\$38,400.01	\$40,400
\$40,400.01	\$42,400
42,400.01	\$44,400
\$44,400.01	\$46,400
\$46,400.01	\$48,400
\$48,400.01	\$50,400
\$50,400.01	\$52,400
\$52,400.01	\$54,400
\$54,400.01	\$56,400
\$56,400.01	\$58,400
\$58,400.01	\$60,400
\$60,400.01	\$62,400
\$62,400.01	\$64,400
\$64,400.01	\$66,400
\$66,400.01	\$68,400
\$68,400.01	\$70,400
\$70,400.01	\$72,400
\$72,400.01	\$74,400
\$74,400.01	\$76,400
\$76,400.01	\$78,400
\$78,400.01	\$80,400
\$80,400.01	\$82,400
\$82,400.01	\$84,400
\$84,400.01	\$86,400
\$86,400.01	\$88,400
\$88,400.01	\$90,400
\$90,400.01	\$92,400
\$92,400.01	\$94,400
\$94,400.01	\$96,400
\$96,400.01	\$98,400
\$98,400.01	\$100,400
\$100,400.01	\$102,400
\$102,400.01	\$104,400

<i>Family Size: 21 Annual Income</i>	
Less than:	\$39,800
\$39,800.01	\$41,800
\$41,800.01	\$43,800
\$43,800.01	\$45,800
\$45,800.01	\$47,800
\$47,800.01	\$49,800
\$49,800.01	\$51,800
\$51,800.01	\$53,800
\$53,800.01	\$55,800
\$55,800.01	\$57,800
\$57,800.01	\$59,800
\$59,800.01	\$61,800
\$61,800.01	\$63,800
\$63,800.01	\$65,800
\$65,800.01	\$67,800
\$67,800.01	\$69,800
\$69,800.01	\$71,800
\$71,800.01	\$73,800
\$73,800.01	\$75,800
\$75,800.01	\$77,800
\$77,800.01	\$79,800
\$79,800.01	\$81,800
\$81,800.01	\$83,800
\$83,800.01	\$85,800
\$85,800.01	\$87,800
\$87,800.01	\$89,800
\$89,800.01	\$91,800
\$91,800.01	\$93,800
\$93,800.01	\$95,800
\$95,800.01	\$97,800
\$97,800.01	\$99,800
\$99,800.01	\$101,800
\$101,800.01	\$103,800
\$103,800.01	\$105,800

<i>Weekly Co-pay</i>	<i>Family Size: 19 Annual Income</i>		<i>Family Size: 20 Annual Income</i>		<i>Family Size: 21 Annual Income</i>	
\$175.00	\$103,000.01	\$105,000	\$104,400.01	\$106,400	\$105,800.01	\$107,800
\$180.00	\$105,000.01	\$107,000	\$106,400.01	\$108,400	\$107,800.01	\$109,800
\$185.00	\$107,000.01	\$109,000	\$108,400.01	\$110,400	\$109,800.01	\$111,800
\$190.00	\$109,000.01	\$111,000	\$110,400.01	\$112,400	\$111,800.01	\$113,800
\$195.00	\$111,000.01	\$113,000	\$112,400.01	\$114,400	\$113,800.01	\$115,800
\$200.00	\$113,000.01	\$115,000	\$114,400.01	\$116,400	\$115,800.01	\$117,800
\$205.00	\$115,000.01	\$117,000	\$116,400.01	\$118,400	\$117,800.01	\$119,800
\$210.00	\$117,000.01	\$119,000	\$118,400.01	\$120,400	\$119,800.01	\$121,800
\$215.00	\$119,000.01	\$121,000	\$120,400.01	\$122,400	\$121,800.01	\$123,800
\$220.00	\$121,000.01	\$123,000	\$122,400.01	\$124,400	\$123,800.01	\$125,800
\$225.00	\$123,000.01	\$125,000	\$124,400.01	\$126,400	\$125,800.01	\$127,800
\$230.00	\$125,000.01	\$127,000	\$126,400.01	\$128,400	\$127,800.01	\$129,800
\$235.00	\$127,000.01	\$129,000	\$128,400.01	\$130,400	\$129,800.01	\$131,800
\$240.00	\$129,000.01	\$131,000	\$130,400.01	\$132,400	\$131,800.01	\$133,800
\$245.00	\$131,000.01	\$133,000	\$132,400.01	\$134,400	\$133,800.01	\$135,800
\$250.00	\$133,000.01	\$135,000	\$134,400.01	\$136,400	\$135,800.01	\$137,800
\$255.00	\$135,000.01	\$137,000	\$136,400.01	\$138,400	\$137,800.01	\$139,800
\$260.00	\$137,000.01	\$139,000	\$138,400.01	\$140,400	\$139,800.01	\$141,800
\$265.00	\$139,000.01	\$141,000	\$140,400.01	\$142,400	\$141,800.01	\$143,800
\$270.00	\$141,000.01	\$143,000	\$142,400.01	\$144,400	\$143,800.01	\$145,800
\$275.00	\$143,000.01	\$145,000	\$144,400.01	\$146,400	\$145,800.01	\$147,800
\$280.00	\$145,000.01	\$147,000	\$146,400.01	\$148,400	\$147,800.01	\$149,800
\$285.00	\$147,000.01	\$149,000	\$148,400.01	\$150,400	\$149,800.01	\$151,800
\$290.00	\$149,000.01	\$151,000	\$150,400.01	\$152,400	\$151,800.01	\$153,800
\$295.00	\$151,000.01	\$153,000	\$152,400.01	\$154,400	\$153,800.01	\$155,800
\$300.00	\$153,000.01	\$155,000	\$154,400.01	\$156,400	\$155,800.01	\$157,800
\$305.00	\$155,000.01	\$157,000	\$156,400.01	\$158,400	\$157,800.01	\$159,800
\$310.00	\$157,000.01	\$159,000	\$158,400.01	\$160,400	\$159,800.01	\$161,800
\$315.00	\$159,000.01	\$161,000	\$160,400.01	\$162,400	\$161,800.01	\$163,800
\$320.00	\$161,000.01	\$163,000	\$162,400.01	\$164,400	\$163,800.01	\$165,800
\$325.00	\$163,000.01	\$165,000	\$164,400.01	\$166,400	\$165,800.01	\$167,800
\$330.00	\$165,000.01	\$166,850	\$166,400.01	\$168,400	\$167,800.01	\$169,800
\$335.00			\$168,400.01	\$170,400	\$169,800.01	\$171,800
\$340.00			\$170,400.01	\$172,400	\$171,800.01	\$173,800
\$345.00			\$172,400.01	\$174,400	\$173,800.01	\$175,800
\$350.00			\$174,400.01	\$174,840	\$175,800.01	\$177,800
\$355.00					\$177,800.01	\$179,800
\$360.00					\$179,800.01	\$181,800
\$365.00					\$181,800.01	\$182,830
	200% FPIG	\$142,000	200% FPIG	\$148,800	200% FPIG	\$155,600

### Medical Assistance Program; Prior Authorization List

The purpose of this notice is to announce that the Department of Public Welfare (Department) will add items to the Medical Assistance (MA) Program's list of items and services requiring prior authorization.

Section 443.6(b)(7) of the Public Welfare Code (62 P. S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The MA Program will require prior authorization of prescriptions, including refills, for Revatio dispensed on and after May 1, 2006, for MA recipients.

#### *Fiscal Impact*

Revatio received United States Food and Drug Administration approval in June 2005; therefore, as of the date of the preparation of this fiscal note, there is minimal paid claims history for this drug. Savings are anticipated as the result of the addition to the prior authorization list; however, there is no measurable fiscal impact to the Medical Assistance—Outpatient program.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent changes to these prior authorization requirements.

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

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-476. No fiscal impact; (8) recommendations adoption.

[Pa.B. Doc. No. 06-787. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Block Bingo Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Block Bingo.

2. *Price:* The price of a Pennsylvania Block Bingo instant lottery game ticket is \$2.

3. *Play Symbols:*

(a) Each Pennsylvania Block Bingo instant lottery game ticket will contain four play areas designated as

“Card 1,” “Card 2,” “Card 3” and “Card 4.” The 76 play symbols located in the four play areas are: The numbers 1 through 75 and “FREE” symbol. The “FREE” symbol is a free space.

(b) Each ticket will also contain a “Caller’s Card” area. The 75 play symbols that may be located in the “Caller’s Card” are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

4. *Prizes:* The prizes that can be won in this game are: \$2, \$5, \$10, \$20, \$50, \$100, \$250, \$500 and \$20,000.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Block Bingo instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the “Caller’s Card” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “Card 4,” shall be entitled to a prize of \$20,000.

(b) Holders of tickets matching the “Caller’s Card” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “Card 3,” shall be entitled to a prize of \$500.

(c) Holders of tickets matching the “Caller’s Card” play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on “Card 4,” shall be entitled to a prize of \$250.

(d) Holders of tickets matching the “Caller’s Card” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “Card 2,” shall be entitled to a prize of \$250.

(e) Holders of tickets matching the “Caller’s Card” play symbols to the eight numbers appearing in the white bonus block pattern which also includes the “FREE” space on “Card 4,” shall be entitled to a prize of \$100.

(f) Holders of tickets matching the “Caller’s Card” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “Card 1,” shall be entitled to a prize of \$100.

(g) Holders of tickets matching the “Caller’s Card” play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on “Card 2” or “Card 3,” shall be entitled to a prize of \$100.

(h) Holders of tickets matching the “Caller’s Card” play symbols to the five numbers appearing in the white bonus block pattern which also includes the “FREE” space on “Card 3,” shall be entitled to a prize of \$50.

(i) Holders of tickets matching the “Caller’s Card” play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on “Card 1,” shall be entitled to a prize of \$50.

(j) Holders of tickets matching the “Caller’s Card” play symbols in the four corners on “Card 4,” shall be entitled to a prize of \$50.

(k) Holders of tickets matching the “Caller’s Card” play symbols to the four numbers appearing in the white bonus block pattern on “Card 2,” shall be entitled to a prize of \$20.

(l) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 2" or "Card 3," shall be entitled to a prize of \$20.

(m) Holders of tickets matching the "Caller's Card" play symbols to the four numbers appearing in the white bonus block pattern on "Card 1," shall be entitled to a prize of \$10.

(n) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 1," shall be entitled to a prize of \$10.

(o) Holders of tickets matching the "Caller's Card" play symbols in a five-space horizontal, vertical or diagonal line on "Card 4," shall be entitled to a prize of \$5.

(p) Holders of tickets matching the "Caller's Card" play symbols in a five-space horizontal, vertical or diagonal line on "Card 1" or "Card 2" or "Card 3," shall be entitled to a prize of \$2.

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

<i>Get Bingo With:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 12,000,000 Tickets</i>
LINE—CARD 1	\$2	23.08	520,000
LINE—CARD 2	\$2	23.08	520,000
LINE—CARD 3	\$2	23.08	520,000
LINE—CARDS 1 and 2	\$4	50	240,000
LINE—CARDS 2 and 3	\$4	50	240,000
LINE—CARDS 1 and 3	\$4	60	200,000
LINE—CARD 4	\$5	75	160,000
LINE—CARDS 1, 2 and 3	\$6	75	160,000
4 CORNERS—CARD 1	\$10	150	80,000
BLOCK—CARD 1	\$10	150	80,000
LINE—CARDS 1, 2, 3 and 4	\$11	150	80,000
4 CORNERS—CARD 2	\$20	500	24,000
4 CORNERS—CARD 3	\$20	750	16,000
BLOCK—CARD 2	\$20	300	40,000
4 CORNERS—CARDS 1 and 2	\$30	2,400	5,000
4 CORNERS—CARDS 1 and 3	\$30	2,400	5,000
4 CORNERS—CARD 2 + BLOCK—CARD 1	\$30	2,400	5,000
4 CORNERS—CARD 3 + BLOCK—CARD 1	\$30	2,400	5,000
4 CORNERS—CARDS 2 and 3	\$40	1,200	10,000
4 CORNERS—CARD 3 + BLOCK—CARD 2	\$40	1,200	10,000
4 CORNERS—CARD 4	\$50	1,500	8,000
DIAMOND—CARD 1	\$50	1,500	8,000
BLOCK—CARD 3	\$50	1,500	8,000
4 CORNERS—CARDS 1, 2 and 3	\$50	1,500	8,000
4 CORNERS—CARD 4 + DIAMOND—CARD 1	\$100	24,000	500
DIAMOND—CARD 2	\$100	24,000	500
4 CORNERS—CARD 4 + BLOCK—CARD 3	\$100	24,000	500
DIAMOND—CARD 1 + BLOCK—CARD 3	\$100	24,000	500
DIAMOND—CARD 3	\$100	24,000	500
"X"—CARD 1	\$100	24,000	500
BLOCK—CARD 4	\$100	24,000	500
"X"—CARD 2	\$250	60,000	200
DIAMOND—CARD 4	\$250	40,000	300
"X"—CARD 2 + DIAMOND—CARD 4	\$500	120,000	100
"X"—CARD 3	\$500	120,000	100
"X"—CARD 4	\$20,000	2,400,000	5

Get Bingo With:

Win:

Approximate  
Odds of 1 In:

Approximate No.  
of Winners Per  
12,000,000 Tickets

BONUS BLOCKS: Match the numbers in the white block pattern in:

CARD 1 WINS \$10  
CARD 2 WINS \$20  
CARD 3 WINS \$50  
CARD 4 WINS \$100

Persons may win more than one prize on this ticket but cannot win more than one prize on each card. Prizes, including top prizes, are subject to availability at the time of purchase.

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

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

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Block Bingo or through normal communications methods.

GREGORY C. FAJT,  
Secretary

[Pa.B. Doc. No. 06-788. Filed for public inspection May 5, 2006, 9:00 a.m.]

## Pennsylvania \$500,000 Bankroll Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania \$500,000 Bankroll.

2. *Price:* The price of a Pennsylvania \$500,000 Bankroll instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania \$500,000 Bankroll instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16

(SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Money Bag symbol (MNYBAG) and \$\$ symbol (DBLS).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO), \$25,000 (TWYFIVTHO) and \$500,000 (FIVHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$50, \$100, \$200, \$500, \$1,000, \$5,000, \$25,000 and \$500,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania \$500,000 Bankroll instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500,000 (FIVHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money Bag symbol (MNYBAG), and a prize symbol of \$1,000 (ONE THO) appears under the Money Bag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the



“WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$ symbol (DBLS), and a prize symbol of \$500 (FIV HUN) appears under the \$\$ symbol (DBLS) on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag symbol (MNYBAG), and a prize symbol of \$500 (FIV HUN) appears under the Money Bag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$ symbol (DBLS), and a prize symbol of \$200 (TWO HUN) appears under the \$\$ symbol (DBLS) on a single ticket, shall be entitled to a prize of \$400.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag symbol (MNYBAG), and a prize symbol of \$100 (ONE HUN) appears under the Money Bag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$ symbol (DBLS), and a prize symbol of \$50\$ (FIFTY) appears under the \$\$ symbol (DBLS) on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag symbol (MNYBAG), and a prize symbol of \$50\$ (FIFTY) appears under the Money Bag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50\$ (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$ symbol (DBLS),

and a prize symbol of \$20\$ (TWENTY) appears under the \$\$ symbol (DBLS) on a single ticket, shall be entitled to a prize of \$40.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag symbol (MNYBAG), and a prize symbol of \$20\$ (TWENTY) appears under the Money Bag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20\$ (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$ symbol (DBLS), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the \$\$ symbol (DBLS) on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag symbol (MNYBAG), and a prize symbol of \$15\$ (FIFTN) appears under the Money Bag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$15.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15\$ (FIFTN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag symbol (MNYBAG), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Money Bag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$ symbol (DBLS), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the \$\$ symbol (DBLS) on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

*When Any of Your Numbers Match Any of The Winning Numbers, Win With Prize(s) of:*

\$10  
\$10 w/MONEYBAG  
\$5 w/\$\$

*Win:*  
\$10  
\$10  
\$10

*Approximate Odds of 1 In:*  
30  
20  
30

*Approximate No. of Winners Per 6,000,000 Tickets*  
200,000  
300,000  
200,000

*When Any of Your Numbers Match Any of The Winning Numbers, Win With Prize(s) of:*

<i>Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$5 × 2	\$10	30	200,000
\$15	\$15	120	50,000
\$15 w/MONEYBAG	\$15	120	50,000
\$5 × 3	\$15	60	100,000
\$20	\$20	150	40,000
\$20 w/MONEYBAG	\$20	150	40,000
\$10 w/\$\$	\$20	150	40,000
\$10 × 2	\$20	150	40,000
\$15 + \$5	\$20	150	40,000
\$50	\$50	300	20,000
\$50 w/MONEYBAG	\$50	300	20,000
\$5 × 10	\$50	300	20,000
\$10 × 5	\$50	300	20,000
\$20 w/\$\$ + \$10	\$50	300	20,000
\$100	\$100	800	7,500
\$100 w/MONEYBAG	\$100	800	7,500
\$10 × 10	\$100	800	7,500
\$15 × 6 + \$5 × 2	\$100	800	7,500
\$20 × 5	\$100	800	7,500
\$50 × 2	\$100	800	7,500
\$50 w/\$\$	\$100	800	7,500
\$500	\$500	2,353	2,550
\$500 w/MONEYBAG	\$500	2,400	2,500
\$200 w/\$\$ + \$100	\$500	2,400	2,500
\$50 × 10	\$500	2,400	2,500
\$100 × 5	\$500	2,400	2,500
\$1,000	\$1,000	4,286	1,400
\$1,000 w/MONEYBAG	\$1,000	4,800	1,250
\$100 × 10	\$1,000	4,800	1,250
\$500 w/\$\$	\$1,000	4,800	1,250
\$5,000	\$5,000	120,000	50
\$500 × 10	\$5,000	120,000	50
\$25,000	\$25,000	240,000	25
\$500,000	\$500,000	600,000	10

MONEYBAG (MONEYBAG) = Win prize shown under it automatically.

"\$\$" (DBLS) = Double the prize shown under it.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$500,000 Bankroll instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$500,000 Bankroll, prize money from winning Pennsylvania \$500,000 Bankroll instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$500,000 Bankroll instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania \$500,000 Bankroll or through normal communications methods.

GREGORY C. FAJT,  
Secretary

[Pa.B. Doc. No. 06-789. Filed for public inspection May 5, 2006, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell at public auction certain land owned by the Department:

Liverpool Township, Perry County and Susquehanna Township, Juniata County: The parcel contains 86,336 square feet (1.98 acre) of improved land

situated along Route 0011 southbound with a mailing address of Susquehanna Trail, Box 239, Liverpool, PA 17045-9625. This property includes a 1-story concrete block structure with a gross area of 2,300 sq. ft. and is composed of a 3-bay garage having 1,600 sq. ft. and an office and display area of 700 sq. ft. gross. Included in the office area is a bathroom and furnace and pump room. The furnace and well pump have been removed. The office area has a concrete floor covered in 6-inch tile block; the walls are drywall. The Shop Area has three bays with manual 10 by 12 doors; the floors are concrete; the walls are block. The estimated fair market value is \$125,000.

Manheim Township, Lancaster County. This parcel contains 0.24 acre of improved land consisting of a 2-story brick dwelling, concrete block garage and a greenhouse with a well and septic system. It is situated along SR 0030 with a mailing address of 1440 Harrisburg Pike, Lancaster, PA 17601. This dwelling has been winterized by Brubaker, Inc. and reconnection of water lines will be necessary. Connection to public sewer may be required within 1 year of purchase. The estimated fair market value is \$118,000. The appraisal is discounted to reflect the cost of connection to the public sewer.

Interested public entities are invited to express their interest in purchasing these sites within 30 calendar days from the date of publication of this notice to Barry Hoffman, P. E., District Engineer, Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg PA 17103-1699. Send inquiries to the attention of the R/W Unit. Include name, address and telephone number and e-mail address if applicable. Persons will be notified within 30 days of the date of the public sale of this property.

ALLEN D. BIEHLER, P. E.,  
Secretary

[Pa.B. Doc. No. 06-790. Filed for public inspection May 5, 2006, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Solebury Township v. DEP and New Hope Crushed Stone & Lime Co.; EHB Doc. No. 2006-116-MG

Solebury Township has appealed the issuance by the Department of Environmental Protection of an NPDES permit to New Hope Crushed Stone & Lime Co. for a facility in Solebury, Bucks County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,  
Chairperson

[Pa.B. Doc. No. 06-791. Filed for public inspection May 5, 2006, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 1 p.m., Wednesday, April 19, 2006, and announced the following:

*Regulations Deemed Approved under section 5(g) of the Regulatory Review Act—Effective April 18, 2006*

Department of Transportation #18-396: Proportional Registration of Fleet Vehicles (amends 67 Pa. Code Chapter 63)

State Employees' Retirement Board #31-5: Administrative Duties of the Board (amends 4 Pa. Code § 249.2(a))

State Board of Nursing #16A-5127: Fees for Approval of Nursing Education Programs (amends 49 Pa. Code §§ 21.5, 21.147 and 21.253)

State Board of Osteopathic Medicine #16A-5315: Deletion of Exam Fees (Amends 49 Pa. Code §§ 25.223 and 25.231)

### *Regulations Approved*

State Employees' Retirement Board #31-3: Preliminary Provisions (amends 4 Pa. Code Chapter 241)

State Employees' Retirement Board #31-4: Membership, Credited Service and Eligibility for Benefits (amends 4 Pa. Code Chapter 243)

State Board of Psychology #16A-6313: Education Requirements (amends 49 Pa. Code Chapter 41)

State Board of Examiners of Nursing Home Administrators #16A-6210: Biennial Renewal Fees (amends 49 Pa. Code § 39.72)

State Board of Nursing #16A-5119: Certified Registered Nurse Practitioner Program Approval (adds 49 Pa. Code §§ 21.361—21.377)

State Board of Nursing #16A-5120: Dietitian-Nutritionists (adds 49 Pa. Code Chapter 21, Subchapter G)

State Board of Nursing #16A-5121: Temporary Practice Permits (amends 49 Pa. Code Chapter 21)

State Board of Podiatry #16A-447: Professional Liability Insurance (amends 49 Pa. Code §§ 29.51—29.54)

State Board of Pharmacy #16A-5410: Technology and Automation (amends 49 Pa. Code Chapter 27)

**Approval Order**

Public Meeting held  
April 19, 2006

*Commissioners Voting:* John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner, Esq.

*State Employees' Retirement Board—Preliminary Provisions; Regulation No. 31-3*

On August 18, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Employees' Retirement Board (Board). This rulemaking amends 4 Pa. Code Chapter 241. The proposed regulation was published in the September 3, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 9, 2006.

This regulation deletes the definition of "class of service multiplier." The definition is no longer needed based on changes in the benefit structure of the State Employees' Retirement System.

We have determined this regulation is consistent with the statutory authority of the Board (71 Pa.C.S. § 5902(h)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
April 19, 2006

*Commissioners Voting:* John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner, Esq.

*State Employees' Retirement Board—Membership, Credited Service and Eligibility for Benefits; Regulation No. 31-4*

On August 18, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Employees' Retirement Board (Board). This rulemaking amends 4 Pa. Code Chapter 243. The proposed regulation was published in the September 3, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 9, 2006.

This regulation deletes the list of "classes of service" closed to new members as of March 1, 1974. Past amendments to the retirement code have removed the various classes of service multipliers and instituted the "Class A" retirement benefit formula.

We have determined this regulation is consistent with the statutory authority of the Board (71 Pa.C.S. § 5902(h)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
April 19, 2006

*Commissioners Voting:* John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner, Esq.

*State Board of Psychology—Education Requirements; Regulation No. 16A-6313*

On August 23, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Psychology. This rulemaking amends 49 Pa. Code Chapter 41. The proposed regulation was published in the September 4, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 23, 2006.

This regulation requires an applicant for certification to receive a doctoral degree from a school that is accredited by the American Psychological Association, accredited by the Canadian Psychological Association, designated by the Association of State and Provincial Psychology Boards/National Register (ASPPB/National Register) or from a foreign university that meets the designation criteria of ASPPB/National Register.

We have determined this regulation is consistent with the statutory authority of the State Board of Psychology (63 P.S. § 1203.2(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
April 19, 2006

*Commissioners Voting:* John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner, Esq.

*State Board of Examiners of Nursing Home Administrators—Biennial Renewal Fees; Regulation No. 16A-6210*

On March 29, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Examiners of Nursing Home Administrators (Board). This rulemaking amends 49 Pa. Code § 39.72. The proposed regulation was published in the April 23, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 23, 2006.

Section 7.1 of the Nursing Home Administrators License Act (63 P.S. § 1107.1) requires the Board to increase fees when they do not meet expenditures. The Board is projecting a deficit of approximately \$319,000 in Fiscal Year 2006-2007. This regulation increases the biennial renewal fee for nursing home administrators by 175 percent from \$108 to \$297 which will prevent the deficit.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 1107.1) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting held  
April 19, 2006

*Commissioners Voting:* John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner, Esq.

*State Board of Nursing—Certified Registered Nurse Practitioner Program Approval; Regulation No. 16A-5119*

On August 23, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Nursing (Board). This rulemaking adds Sections 21.361—21.377 to Chapter 21 of Title 49 Pa. Code. The proposed regulation was published in the September 4, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 23, 2006.

This regulation sets forth the procedures and standards for evaluating and approving educational programs for certified registered nurse practitioners (CRNPs). Act 206 of 2002 amended the Professional Nursing Law and repealed sections of the Medical Practice Act to give exclusive jurisdiction over CRNPs to the Board.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 216.1) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting held  
April 19, 2006

*Commissioners Voting:* John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner, Esq.

*State Board of Nursing—Dietitian-Nutritionists; Regulation No. 16A-5120*

On February 2, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Nursing (Board). This rulemaking adds Subchapter G. Dietitian-Nutritionists to 49 Pa. Code Chapter 21. The proposed regulation was published in the February 12, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 23, 2006.

This regulation implements Act 99 of 2002 by establishing standards of practice for licensed dietitian-nutritionists. The regulation prescribes licensure requirements, standards for professional conduct, continuing education requirements and fees charged by the Board.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 212.1(k)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting held  
April 19, 2006

*Commissioners Voting:* John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner, Esq.

*State Board of Nursing—Temporary Practice Permits; Regulation No. 16A-5121*

On August 23, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Nursing (Board). This rulemaking amends 49 Pa. Code Chapter 21. The proposed regulation was published in the September 4, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 28, 2005 and withdrawn on December 12, 2005. The final-form regulation was resubmitted on March 16, 2006.

This final-form regulation establishes the procedures and standards to be used in processing applications for temporary practice permits for both registered nurses and practical nurses.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. §§ 212.1(k) and 667.6) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting held  
April 19, 2006

*Commissioners Voting:* John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner, Esq.

*State Board of Podiatry—Professional Liability Insurance; Regulation No. 16A-447*

On August 23, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Podiatry. This rulemaking amends 49 Pa. Code §§ 29.51—29.54. The proposed regulation was published in the September 4, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 16, 2006.

This final-form regulation eliminates references to the repealed Health Care Services Malpractice Act and replaces them with references to the Medical Care Availability and Reduction Effort Act and clarifies that a podiatrist must carry liability insurance.

We have determined this regulation is consistent with the statutory authority of the State Board of Podiatry (63 P. S. § 42.15) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
April 19, 2006

*Commissioners Voting:* John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner, Esq.

*State Board of Pharmacy—Technology and Automation;  
Regulation No. 16A-5410*

On June 8, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Pharmacy. This rulemaking amends 49 Pa. Code Chapter 27. The proposed regulation was published in the June 19, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 16, 2006.

This regulation permits electronic transmission and storage of prescriptions and also sets standards for centralized prescription processing and automated medication systems.

We have determined this regulation is consistent with the statutory authority of the State Board of Pharmacy (63 P. S. § 390-4(j)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-792. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Notice of Comments Issued**

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission's comments are based upon the criteria contained in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
2-151	Department of Agriculture Shellfish 36 Pa.B. 936 (February 25, 2006)	3/27/06	4/26/06

**Department of Agriculture Regulation #2-151 (IRRC #2526)**

**Shellfish**

**April 26, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the February 25, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Agriculture (Department) to respond to all comments received from us or any other source.

**1. Section 49.2. Scope.—Clarity.**

This section declares that persons processing, distributing, transporting or selling shellfish must comply with Chapter 49 and the National Shellfish Sanitation Program (NSSP) Model Ordinance. During our review, Department staff identified a link at <http://www.cfsan.fda.gov/~ear/nss2-toc.html> to the text of the NSSP Model Ordinance. It would help the regulated community if the Department included this link in the text of the final-form regulation.

**2. Section 49.42. Plumbing.—Consistency with existing regulations and statutes; Clarity.**

Subsection (a) states: "Plumbing [ **shall** ] **must** be sized, installed and maintained in compliance with the provisions of the local plumbing code or, in the absence thereof, in a manner that prevents contamination of the water supply or the creation of an unsanitary condition." This subsection should include a reference to the Pennsylvania Construction Code Act (35 P. S. §§ 7210.101—7210.1103).

**3. Section 49.53. Utensils and equipment construction.—Clarity.**

Subsection (b) refers to the Shellfish Industry Equipment Construction Guide (Guide). This subsection should contain information on the source and availability of the Guide including a link to the Guide at <http://www.cfsan.fda.gov/~ear/nss2-43a.html>.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-793. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market St., 14th Floor, Harrisburg at 10:30 a.m. To obtain a copy of a regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

This schedule is tentative. Contact the Commission at (717) 783-5417 or check its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us) for updates.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
6-293	State Board of Education Certification of Professional Personnel	4/21/06	6/1/06
6-296	State Board of Education Academic Standards and Assessment for Career Education and Work	4/21/06	6/1/06
2-143	Department of Agriculture CHEMSWEEP Pesticide Disposal Program	4/24/06	6/1/06

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-794. Filed for public inspection May 5, 2006, 9:00 a.m.]

## INSURANCE DEPARTMENT

John Aaron, M. D.; Prehearing

**Appeal of John Aaron, M. D. under the Medical  
Care Availability and Reduction of Error (MCARE)  
Act (40 P. S. §§ 1303.101—1303.910);  
Doc. No. MM06-04-029**

On or before May 23, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 29, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 12, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 7, 2006.

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 May 30, 2006, 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 6, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-795. Filed for public inspection May 5, 2006, 9:00 a.m.]

Kirsten Bellucci, M. D.; Prehearing

**Appeal of Kirsten Bellucci, M. D. under the Medical  
Care Availability and Reduction of Error (MCARE)  
Act (40 P. S. §§ 1303.101—1303.910);  
Doc. No. MM06-04-007**

On or before May 11, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 16, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 1, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 26, 2006.

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 May 18, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 25, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-796. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Andrew S. Boyce, O. T.; Prehearing****Appeal of Andrew S. Boyce, O. T. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);  
Doc. No. MM06-04-004**

On or before May 2, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 2, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for May 23, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 18, 2006.

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 May 9, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 16, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-797. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Highmark Blue Cross Blue Shield; Complete Care Program (Western Region); Rate Filing**

On April 19, 2006, Highmark, Inc. d/b/a Highmark Blue Cross Blue Shield submitted Filing No. 1A-CCP-06-HBCBS for its CompleteCare Program in Western Pennsylvania requesting a rate increase of about 6.6%. This filing will affect about 33,400 contract holders and will produce an annual premium income of about \$6.240 million. An effective date of October 1, 2006, is requested.

In addition to the increase in premium rates, the filing also adjusts the rate relativities between age and gender to be consistent with Highmark's other medically underwritten programs.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-799. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Gnaden Huetten Memorial Hospital; Prehearing****Appeal of Gnaden Huetten Memorial Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-04-027**

On or before May 23, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 15, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 12, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 7, 2006.

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 May 30, 2006, 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 6, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-798. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Highmark Blue Shield; Medically Underwritten Direct Pay PPO Plan; Rate Filing**

On April 19, 2006, Highmark, Inc. d/b/a Highmark Blue Shield submitted Filing No. 1A-BSMUPPO-06-HBS for its medically underwritten Direct Pay PPO Plan in Central Pennsylvania Region requesting an average rate increase of 6.5%. This filing will affect about 4,400 contract holders and will produce an annual premium income of about \$768,000. An effective date of October 1, 2006, is requested.

In addition to the increase in premium rates, the following changes are being made to the Medically Underwritten PPO Plan:

- A contract year benefit maximum of \$1 million per individual combined for In-Network and Out-of-Network medical benefits is being added.
- Enforcing exclusion for prescription drugs used to treat mental health and substance abuse.
- Increasing coverage for routine physical examinations to match Highmark's preventive schedule.
- Adding two new Deductible Options.
- Effective January 1, 2007, the Plan is requesting to change the prescription drug benefit design:
  - The deductible of \$50 is moving to \$100 per calendar year per individual.



- A \$50,000 annual maximum per calendar year per individual is being added.
- The \$3,000 out-of-pocket maximum is being removed.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-800. Filed for public inspection May 5, 2006, 9:00 a.m.]

### **Highmark, Inc. d/b/a Highmark Blue Shield; Medically Underwritten Direct Pay PPO High Deductible Health Plans (Central Region); Rate Filing**

On April 18, 2006, the Insurance Department (Department) received from Highmark Blue Shield Filing No. 1A-HDHP/CDP/MU-06-HBS for a rate increase for Medically Underwritten Direct Pay PPO High Deductible Health Plans in the Central Pennsylvania region.

The filing requests an average rate increase of 6.50% or \$14.69 per contract per month. This will affect about 2,500 contract holders and will produce additional premium income of about \$37,000 monthly. The requested effective date of the change is October 1, 2006.

Unless formal administrative action is taken prior to July 20, 2006, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-801. Filed for public inspection May 5, 2006, 9:00 a.m.]

### **Medical Specialists of Philadelphia; Prehearing**

#### **Appeal of Medical Specialists of Philadelphia under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-04-006**

On or before May 4, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 15, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for May 25, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 22, 2006.

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 May 11, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 18, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-802. Filed for public inspection May 5, 2006, 9:00 a.m.]

### **Mercy Hospital; Prehearing**

#### **Appeal of Mercy Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-04-024**

On or before May 16, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 10, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 6, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 1, 2006.

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 May 23, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 30, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-803. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Shannon McFeaters, DPM; Prehearing****Appeal of Shannon McFeaters, DPM under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-04-026**

On or before May 16, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 10, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 6, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 1, 2006.

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 May 23, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 30, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-804. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Pediatric Healthcare Associates, Ltd.; Prehearing****Appeal of Pediatric Healthcare Associates, Ltd. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-04-008**

On or before May 11, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 14, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 1, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 26, 2006.

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 May 18, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 25, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-806. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Hitesh K. Patel, M. D.; Prehearing****Appeal of Hitesh K. Patel, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-04-009**

On or before May 2, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 15, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for May 23, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 18, 2006.

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 May 9, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 16, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-805. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of Act 68, 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Philadelphia. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Richard and Robyn Lipetz; file no. 06-119-16231; Erie Insurance Exchange; doc. no. P06-03-041; May 30, 2006, 1 p.m.

Appeal of Justin Lipetz; file no. 06-119-16231; Erie Insurance Exchange; doc. no. P06-03-047; May 30, 2006, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's

case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator, (717) 705-4194.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-807. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Ronks Service, LLC; Prehearing

#### **Appeal of the Ronks Service, LLC under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2004-276(M); Doc. No. UT06-04-030**

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 May 31, 2006. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street Harrisburg, PA 17102 on or before May 17, 2006. Answers to petitions to intervene, if any, shall be filed on or before May 24, 2006.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-808. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Alan C. Sally, DPM; Prehearing

#### **Appeal of Alan C. Sally, DPM under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-04-025**

On or before May 23, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 16, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 12, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 7, 2006.

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 May 30, 2006, 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 6, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-809. Filed for public inspection May 5, 2006, 9:00 a.m.]

### Tims Rusfre; Hearing

#### **Appeal of Tims Rusfre under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2005-143(F); Doc. No. UT06-04-032**

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 8, 2006. A hearing shall occur on June 22, 2006, at 1 p.m. in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, at the previously listed address on or before May 31, 2006. Answers to petitions to intervene, if any, shall be filed on or before June 6, 2006.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-810. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Sharon Wainright, M. D.; Prehearing****Appeal of Sharon Wainright, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-04-028**

On or before May 17, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 23, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 7, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 1, 2006.

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 May 24, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 31, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-811. Filed for public inspection May 5, 2006, 9:00 a.m.]

**LIQUOR CONTROL BOARD****Expiration of Leases**

The following Liquor Control Board leases will expire:

Bucks County, Wine & Spirits Shoppe #0905, Logan Square Shopping Center, 6542-C Logan Square, New Hope, PA 18938.

Lease in 90-day status since July 1, 2005.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 8,000 to 10,000 net useable square feet of new or existing retail commercial space within a 1-mile radius from Route 202 and Route 179, New Hope.

*Proposals due:* May 26, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Henry Blocker, (215) 482-9671

Montgomery County, Wine & Spirits Shoppe #4602, 56 Greenfield Avenue, Ardmore, PA 19003.

*Lease expiration date:* August 31, 2012

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 17,000 net useable square feet of new or existing retail commercial space within Ardmore, Lower Merion Township.

*Proposals due:* May 26, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Henry Blocker, (215) 482-9671

JONATHAN H. NEWMAN,  
*Chairperson*

[Pa.B. Doc. No. 06-812. Filed for public inspection May 5, 2006, 9:00 a.m.]

**PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY****\$5 Million Funding Opportunity Available**

On behalf of Governor Edward G. Rendell, Department of Environmental Protection (Department) Secretary Kathleen A. McGinty announced on April 25, 2006, that the Pennsylvania Energy Development Authority (Authority) will open a \$5 million solicitation for innovative, advanced energy projects and for businesses interested in locating their advanced energy operations in this Commonwealth.

For purposes of this financial assistance opportunity, eligible projects may include: solar energy; wind; low-impact hydropower; geothermal; biologically derived methane gas, including landfill gas; biomass; fuel cells; coal-mine methane; waste coal; integrated gasification combined cycle; demand management measures, including recycled energy and energy recovery, energy efficiency and load management; and clean, alternative fuels for transportation. Priorities include solar, distributed generation for critical public infrastructure and clean, alternative fuels for transportation.

Under this solicitation, the Authority may award financial assistance in the form of grants of up to \$1 million. Funding for projects may be used for capital equipment, construction associated with capital projects and land acquisition.

For grants under this solicitation, the following entities are eligible to apply: corporations, partnerships, associations and other legal business entities; nonprofit corporations; municipalities in this Commonwealth; and any public corporations, authorities or bodies whatsoever.

This is a competitive solicitation and funding will be determined by vote of the Board of Directors. Guidelines and applications may be viewed and downloaded from the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: PEDA). Applications will be accepted from May 8, 2006, through July 14, 2006.

Note that the Department's Pennsylvania Energy Harvest Grant Program will be open at the same time (see 36 Pa.B. 2223 (May 6, 2006)).

KATHLEEN A. MCGINTY,  
*Chairperson*

[Pa.B. Doc. No. 06-813. Filed for public inspection May 5, 2006, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Rate Transition Plan

**P-00062213 and P-00062214. Metropolitan Edison Company (Met Ed) and Pennsylvania Electric Company (Penelec).** Petitions of Metropolitan Edison Company (Met Ed) and Pennsylvania Electric Company (Penelec) for approval of a rate transition plan. These petitions are filed in connection with Met Ed and Penelec's base rate filings but are being treated as separate and distinct from the base rate filings.

Answers, protests or petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner, on or before 20 days from the date of publication of this notice. The documents filed in support of the petition 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 petitioner's business address.

*Applicant:* Metropolitan Edison Company and Pennsylvania Electric Company

*Through and By Counsel:* W. Edwin Ogden, Esquire, Alan Michael Seltzer, Esquire, Jeffrey A. Franklin, Esquire, John F. Povilaitis, Esquire, Ryan Russell Ogden & Seltzer, LLP, 1150 Berkshire Blvd., Suite 210, Wyomissing PA 19610-1208

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-814. Filed for public inspection May 5, 2006, 9:00 a.m.]

## Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before May 30, 2006. 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-00122601. David E. Esh** (52 Slaymaker Hill Road, Kinzer, PA 17535)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

**A-00122591. Classic British Limousine Service, Inc.** (435 Winding Stream Road, Spring City, Chester County, PA 19475)—persons, in limousine service, from points in the Counties of Chester, Delaware and Montgomery, to points in Pennsylvania, and return. *Attorney:* Daniel J. Barrison, Esquire, 4300 Haddonfield Road, Suite 311, Pennsauken, NJ 08109.

**A-00122599. Dennis A. Boyco** (113 East Mt. Vernon Street, Oxford, Chester County, PA 19363)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Chester and Lancaster to points in Pennsylvania, and return.

**A-00122589. Celebrity Limousines, LLC** (2636 Sunset Drive, West Mifflin, Allegheny County, PA 15122), a corporation of the Commonwealth, for the right to begin to transport, as a common carrier, persons, in limousine service, between points in the Counties of Allegheny, Washington, Westmoreland, Beaver, Armstrong, Indiana and Fayette, and from points in said counties to all points in Pennsylvania, and return.

**A-00122604. Sindy A. Condon** (1752 Twin House Road, Oxford, Chester County, PA 19363)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Lancaster and Chester, to points in Pennsylvania, 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 household goods as described under the application.***

**A-00122596. Tony's Moving Corp.** (329 East Brinkerhoff Avenue, Palisades Park, NJ 07650)—household goods in use, from points in the Counties of Lancaster, Northampton, Lehigh, Berks, Montgomery, Bucks, Philadelphia, Delaware and Chester, to points in Pennsylvania. *Attorney:* Moon Y. Ahn, Esquire, 1879 Cottman Avenue, Philadelphia, PA 19111.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-815. Filed for public inspection May 5, 2006, 9:00 a.m.]

## Telecommunications

**A-311014F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and Armstrong Telecommunications, Inc.** Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and Armstrong Telecommunications, Inc. for approval of a master interconnection, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Armstrong Telecommunications, Inc., by its counsel, filed on April 17, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a master interconnection, collocation and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg,

PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of The United Telephone Company of Pennsylvania d/b/a Sprint and Armstrong Telecommunications, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-816. Filed for public inspection May 5, 2006, 9:00 a.m.]

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### Telecommunications

**A-310125F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and AT&T Communications of Pennsylvania, LLC.** Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and AT&T Communications of Pennsylvania, LLC for approval of a master interconnecton, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and AT&T Communications of Pennsylvania, LLC, by its counsel, filed on April 13, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a master interconnecton, collocation and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The United Telephone Company of Pennsylvania d/b/a Sprint and AT&T Communications of Pennsylvania, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-817. Filed for public inspection May 5, 2006, 9:00 a.m.]

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### Telecommunications

**A-310213F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and TCG Pittsburgh, Inc.** Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and TCG Pittsburgh, Inc. for approval of a master interconnection, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and TCG Pittsburgh, Inc., by its counsel, filed on April 13, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a master interconnection, collocation and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The United Telephone Company of Pennsylvania d/b/a Sprint and TCG Pittsburgh, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-818. Filed for public inspection May 5, 2006, 9:00 a.m.]

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## STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v.  
Eric S. Carter; Doc. No. 0286-42-06**

On February 13, 2006, Eric S. Carter, license no. BL050732L, of McKeesport, Allegheny County, was suspended under the Order of the Court of Common Pleas of Allegheny County dated December 15, 2005, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Barber Examiners (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

VINCENT IACONO,  
*Chairperson*

[Pa.B. Doc. No. 06-819. Filed for public inspection May 5, 2006, 9:00 a.m.]

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**Bureau of Professional and Occupational Affairs v.  
Donald Singleton; Doc. No. 0284-42-06**

On February 13, 2006, Donald Singleton, license no. BL051932 of McKeesport, Allegheny County, was suspended under the Order of the Court of Common Pleas of Allegheny County dated December 15, 2005, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Barber Examiners (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

VINCENT IACONO,  
*Chairperson*

[Pa.B. Doc. No. 06-820. Filed for public inspection May 5, 2006, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v.  
Gregory S. McCowin, Jr.; Doc. No. 0056-45-06**

On January 10, 2006, Gregory S. McCowin, Jr., license no. CL016084L, of Philadelphia, Philadelphia County, was suspended under the Order of the Court of Common Pleas of Philadelphia County dated December 29, 2005, which the court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Cosmetology (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

SUSAN E. RINEER,  
*Chairperson*

[Pa.B. Doc. No. 06-821. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Vickie Russell; Doc. No. 0011-45-06**

On January 4, 2006, Vickie Russell, license No. CM010967L, of Warminster, Bucks County, was suspended under the Order of the Court of Common Pleas of Montgomery County dated December 19, 2005, which the court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Cosmetology (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

SUSAN E. RINEER,  
*Chairperson*

[Pa.B. Doc. No. 06-822. Filed for public inspection May 5, 2006, 9:00 a.m.]

## STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.  
Barbara J. Francis; Doc. No. 0121-51-06**

On January 23, 2006, Barbara J. Francis, license no. PN256588L, of Cypress, TX was suspended under the Order of the Court of Common Pleas of Chester County dated December 19, 2005, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

JOANNE L. SORENSEN, RN, MS,  
*Chairperson*

[Pa.B. Doc. No. 06-823. Filed for public inspection May 5, 2006, 9:00 a.m.]

## STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

**Bureau of Professional and Occupational Affairs v.  
Big Dog Auto Sales, Inc.; Doc. No. 0505-60-05**

On February 10, 2006, the license of Big Dog Auto Sales, Inc. of Carlisle, Cumberland County, was revoked

based on findings that the president of the dealership was convicted of crimes of moral turpitude.

Individuals may obtain a copy of the adjudication by writing to Teresa Lazo-Miller, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-824. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. Jeffrey S. Goldberg; Doc. No. 0608-60-05**

On February 10, 2006, Jeffrey S. Goldberg, license no. MV193948, of Washington, Washington County, was suspended for a minimum of 30 days based upon his criminal convictions.

Individuals may obtain a copy of the adjudication by writing to Teresa Lazo-Miller, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-825. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. Michael Koukias; Doc. No. 0062-60-06**

On January 11, 2006, Michael Koukias, license no. MV114149L, of Philadelphia, Philadelphia County, was suspended under the Order of the Court of Common Pleas of Allegheny County dated December 29, 2005, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). This suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-826. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. Gregory R. McCauley; Doc. No. 0360-60-06**

On February 24, 2006, Gregory McCauley, license no. MV192617, of McKees Rocks, Allegheny County, was suspended under the Order of the Court of Common Pleas of Allegheny County dated February 6, 2006, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). This suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-827. Filed for public inspection May 5, 2006, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. Nestor Pagan; Doc. No. 0063-60-06**

On January 11, 2006, Nestor Pagan, license no. MV199895L, of Philadelphia, Philadelphia County, was suspended under the Order of the Court of Common Pleas of Allegheny County dated December 29, 2005, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). This suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Vehicle Manufacturers, Dealers and Salesper-



sons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-828. Filed for public inspection May 5, 2006, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have 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 Claimants' requests concerning the indicated accounts.

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

May 22, 2006	Clyde D. Wilson (D) (Death Benefit)	1 p.m.
May 25, 2006	Kenneth E. Connor (Service Credits)	1 p.m.

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.

ERIC HENRY,  
*Secretary*

[Pa.B. Doc. No. 06-829. Filed for public inspection May 5, 2006, 9:00 a.m.]

## STATE REAL ESTATE COMMISSION

### Bureau of Professional and Occupational Affairs v. Henry C. Davis; Doc. No. 0170-56-06

On January 26, 2006, Henry C. Davis, license no. RS206529L, of Philadelphia, Philadelphia County, was reinstated, retroactive to January 19, 2006, under the Order of the Court of Common Pleas of Philadelphia County dated January 19, 2006.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Real Estate Commission (Commission) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of the petition for review. The Commission contact for receiving service of appeals is the previously named Commission counsel.

JOSEPH TARANTINO, Jr.  
*Chairperson*

[Pa.B. Doc. No. 06-830. Filed for public inspection May 5, 2006, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.


Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:  
 The payment date specified in the contract.  
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.  
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department:	General Services			
Location:	Harrisburg, Pa.			
Duration:	12/1/93-12/30/93			
Contact:	Procurement Division			
	787-0000			

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.  
  
(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

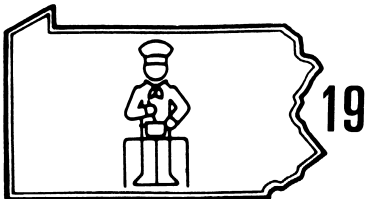
## DO BUSINESS WITH STATE AGENCIES

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. The bureau is, by law, the central repository for all state contracts over \$5,000. Contract Specialists can supply you with descriptions of contracts, names of previous bidders, pricing breakdowns and other information. They can also direct you to the appropriate person and agency looking for your product or service. Copies of state contracts are also available. (Duplicating and mailing costs may apply). For more information, visit us online at [www.patreasury.org](http://www.patreasury.org).

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania Treasury Department  
 201 Finance Building  
 Harrisburg, PA 17120  
 Phone: (717) 787-2990 or 1-800-252-4700  
 Fax: (717) 772-0977

ROBERT P. CASEY, Jr.,  
*State Treasurer*

## SERVICES



### Food

**1152/1162** We are looking for bidders to bid: (1) Beverage Syrup; Bag-in-box (5 gallon containers), (2) Value Tea; bag-in-box (3 gallon containers), (3) Vito Plus Lite; bag-in-box (3 gallon containers). Vendor to supply Equipment, supplies, Syrup and delivery of items, pick up empties on each trip and to be ready for use July 1, 2006. Vendor to provide additional security for drink dispensers to prevent tampering with machine adjustment and security measures to prevent any unauthorized use of the machine.

**Department:** Corrections  
**Location:** SCI Huntingdon/Smithfield, 1100 Pike Street, Huntingdon, PA 16654  
**Duration:** July 1, 2006 through June 30, 2007  
**Contact:** Phyllis Norris, 814-643-2400, x303



### Janitorial Services

**FM 8964** Furnish all labor, equipment and materials to perform janitorial services three (3) days per week at the PA State Police, Hazleton Annex Building. Detailed Work Schedule and Bid must be obtained from the Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Troop N, Hazleton Annex Building, 250 Dessen Drive, West Hazleton, PA 18201, contact Tpr. Paul J. Tagliaterra, 570-459-3865.  
**Duration:** 07/01/06 to 06/30/09  
**Contact:** Sandy Wolfe, 717-705-5951

**FM 8969** Furnish all labor, equipment and materials to perform janitorial services two (2) days per week at the PA State Police, Franklin Aviation. Detailed Work Schedule and Bid must be obtained from the Facility Management Division, 717-705-5951.

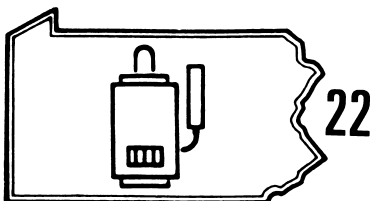
**Department:** State Police  
**Location:** Franklin Aviation Patrol Unit, 1526 Airport Road, Franklin, PA 16323, Sgt. Robert L. Hidinger, (814) 437-3424  
**Duration:** 07/01/06 to 06/30/09  
**Contact:** Sandy Wolfe, 717-705-5951

**FM 8967** Furnish all labor, equipment and materials to perform janitorial services three (3) days per week at the PA State Police, Honesdale Station. Detailed Work Schedule and Bid must be obtained from the Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Troop R, Honesdale Station, RR 6, 14 Collan Park, Honesdale, PA 18431, contact Sgt. David Relp, 570-251-7207  
**Duration:** 07/01/06 to 06/30/09  
**Contact:** Sandy Wolfe, 717-705-5951

**FM 8968** Furnish all labor, equipment and materials to perform janitorial services three (3) days per week at the PA State Police, Strategic Development Division. Detailed Work Schedule and Bid must be obtained from the Facility Management Division, 717-705-5951.

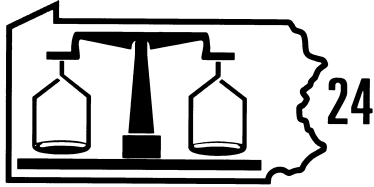
**Department:** State Police  
**Location:** Strategic Development Division, 2629 Market Place, Harrisburg, PA 17110, contact Becky Brown, 717-657-4156  
**Duration:** 07/01/06 to 06/30/09  
**Contact:** Sandy Wolfe, 717-705-5951



### HVAC Services

**053678** Service is for the installation, maintenance and repair of electrical systems throughout Lehigh County, which includes services to its buildings, stockpiles, and services along roadways which are maintained by the Department. Contract term will be two years with one two year renewal.

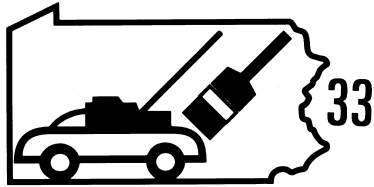
**Department:** Transportation  
**Location:** Lehigh County  
**Duration:** 2 year contract with one two year renewal  
**Contact:** Nancy J. Zauck, Roadway Programs Coordinator, 610-798-4280 x106



### Laboratory Services

**RFP 20-05-01** The Pennsylvania State Police is seeking proposals for the administration of a random drug testing program which conforms with the procedures outlined in the Random Drug Testing Policy (Appendix C of RFP 20-05-01) and with the standards established in 49 Code of Federal Regulations (CFR) Part 40. Please see the RFP for bid due dates and other pertinent information.

**Department:** State Police  
**Location:** Various Pennsylvania State Police locations throughout the Commonwealth.  
**Duration:** Upon award through June 30, 2011  
**Contact:** Capt. William Conway, Recruitment/Special Svs., 717-783-5665



### Property Maintenance

**200002231** Prepare and Install New Sprayed Epoxy Floor in Newton Hall. SITE VISIT IS REQUIRED. To request a bid package, fax your request to 570-587-7108 on your company letterhead that includes name, address, telephone and fax numbers, Federal ID Number, PA State Vendor Number. If you do not have a PA State Vendor Number, one can be obtained by calling 866-775-2868 or online at: [www.vendorregistration.state.pa.us/](http://www.vendorregistration.state.pa.us/). Bid packages cannot be faxed.

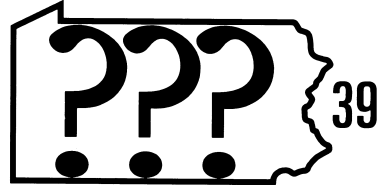
**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** April 30, 2006 through June 30, 2006  
**Contact:** Stanley Rygelski, PA, 570-587-7291

**CN00019990** This contract is for the mowing of various routes within Venango County. Bid Package and Specifications are available upon request.

**Department:** Transportation  
**Location:** Pennsylvania Department of Transportation, Venango County Maintenance Building, 1460 Pittsburgh Road, Franklin, PA 16323  
**Duration:** The contract is for 2-years with three one-year renewals by mutual consent of both parties.  
**Contact:** Timothy Wagner, 814-432-3115

**FM 8998** Furnish all labor, materials and equipment to cut, trim and maintain grass area at the PA State Police, Lima Regional Lab, three (3) cuttings per month, or as required by the Station Commander. Detailed Work Schedule and Bid must be obtained from the Facility Management Division at 717-705-5951.

**Department:** State Police  
**Location:** Lima Regional Lab, 350 North Middletown Road, Media, PA 19063,  
**Contact:** Cecilia M. Cacciola, 610-891-6360  
**Duration:** 07/01/06 to 06/30/09  
**Contact:** Sandy Wolfe, 717-705-5951



### Miscellaneous

**RFP HGAC 2006-01** The Hiram G Andrews Center requires Pharmacy Services for approximately 350 students. The Scope of Services includes filling prescriptions, providing counseling to students, attending meetings, and billing third parties. This will be a zero (0) cost contract to the Commonwealth Agency. Fax to 814-255-8370 or e-mail, company name, address, telephone number, and PA State Vendor Number to receive Request for Proposal (RFP) packet.

**Department:** Labor and Industry  
**Location:** Office of Vocational Rehabilitation, Hiram G. Andrews Center, 727 Goucher St., Johnstown, PA 15905  
**Duration:** Five (5) Year Term  
**Contact:** Ken Zakraysek, Purchasing Agent, 814-255-8210

**RFP No. AQCE2006CO** Notice is given that the Department of Environmental Protection is soliciting proposals from qualified contractors to conduct daily performance testing of coke oven batteries at the facility owned by Erie Coke Corporation in Erie, PA. All proposals must be submitted to the Department of Environmental Protection, Bureau of Office Services, Division of Contracts, Procurement and Bonding, P.O. Box 8473, Harrisburg, PA 17105-8473 no later than 4:00 p.m. on Friday May 26, 2006. Note that for hand delivery or special mail delivery, the address is 15th Floor, Rachel Carson State Office Building (RCSOB), 400 Market Street, Harrisburg, PA 17101. A pre-proposal conference is scheduled for Friday, May 12, 2006 at 1:00 p.m., Rachel Carson State Office Building, 12th Floor Conference Room, 400 Market Street, Harrisburg, PA 17105. It is recommended that prospective proposers attend but it is not mandatory. The RFP is available at [www.dgsweb.state.pa.us/comod/main.asp](http://www.dgsweb.state.pa.us/comod/main.asp). The deadline to submit questions via e-mail to [jstefanko@state.pa.us](mailto:jstefanko@state.pa.us) is May 11, 2006.

**Department:** Environmental Protection  
**Location:** Erie, Pennsylvania  
**Duration:** Three (3) Years with Options to renew 2 additional Years  
**Contact:** John J. Stefanko, 717-783-9937

**39095K Johnson** Wax products assorted cleaning chemicals.

**Department:** State System of Higher Education  
**Location:** West Chester University of Pennsylvania, West Chester, PA. 19383  
**Duration:** Bid due Wednesday April 26, 2006 at 2:00 PM  
**Contact:** Karen Kehler, 610-436-2603

**39073** Provide and install 350 mattresses in the S. Campus Apts Complex. Size 36" by 76", minimum thickness 6". Mattresses must be delivered and installed between 8/1/06 and 8/11/06. Shipping to be F.O.B. Destination to 835 S. Campus Drive, West Chester, PA 19382. Vendor must provide (5) year warranty. All bids must include certified fire test documentation. To obtain Bid Package, contact Dottie Losito, 610-436-1012.

**Department:** State System of Higher Education  
**Location:** West Chester University, Purchasing Dept., 201 Carter Dr., Suite 200, West Chester, PA 19383  
**Duration:** Bids are due no later than April 28, 2006 at 2:30 p.m.  
**Contact:** Dottie Losito, 610-436-1012

**CN00020314** Test and Label all fire doors and jambs in accordance with NFPA 252. Site visit is required. To request a bid, please fax your company letterhead to 570-587-7108 with your name, address, telephone and fax numbers, federal ID number and PA State Vendor Number. If you do not have a PA Vendor number, you can obtain one by calling 866-775-2868 or online at [www.vendorregistration.state.pa.us/](http://www.vendorregistration.state.pa.us/). Bid packages cannot be faxed.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** April 30 - June 30, 2005  
**Contact:** Stanley Rygelski, PA, 570-587-7291

[Pa.B. Doc. No. 06-831. Filed for public inspection May 5, 2006, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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JAMES P. CREEDON,  
*Secretary*





