

# NOTICES

## 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 October 10, 2006.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
10-5-06	Conestoga Bancorp, Inc., Chester Springs, to acquire 100% of the voting shares of PSB Bancorp, Inc., Philadelphia, under the provisions of section 115 of the Banking Code of 1965	Chester Springs	Filed

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-6-06	Vantage Point Bank Fort Washington Montgomery County <i>Correspondent:</i> Walter L. Tillman, Jr. 1300 Cedar Hill Road Lower Gwynedd, PA 19002	Fort Washington	Filed

##### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-3-06	Luzerne National Bank Luzerne Luzerne County <i>To:</i> Luzerne Bank Luzerne Luzerne County Application represents request to convert from a National banking association to a State-chartered bank and trust company.	Luzerne	Filed

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-4-06	Reliance Savings Bank Altoona Blair County Purchase of assets/assumption of liabilities of two branch offices of Susquehanna Bank, Hagerstown, MD Located at: 1254 Old Route 220 North Duncansville Blair County	Altoona     3119 Pleasant Valley Boulevard Altoona Blair County	Approved
10-5-06	Fulton Bank Lancaster Lancaster County Purchase of essentially all the assets and assumption of essentially all the liabilities of Premier Bank, Doylestown, Bucks County, PA. Both institutions are wholly owned subsidiaries of Fulton Financial Corporation, Lancaster, PA.	Lancaster	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-5-06	Mid Penn Bank Millersburg Dauphin County  Purchase of assets/assumption of liabilities of two branch offices of Omega Bank, State College. Located at:  51 South Front Street Steelton Dauphin County	Millersburg      1100 Spring Garden Drive Middletown Dauphin County	Approved
10-5-06	Conestoga Bank, Chester Springs and First Penn Bank, Philadelphia Surviving Institution— Conestoga Bank, Chester Springs	Chester Springs	Filed
10-10-06	Graystone Interim Bank, Lancaster, and Graystone Bank, Lancaster Surviving Institution— Graystone Interim Bank, Lancaster, with a change in corporate title to Graystone Bank  As of the effective date of the merger, Graystone Bank, will become a wholly owned subsidiary of Graystone Financial Corp., Lancaster, a newly formed bank holding company.	Lancaster	Effective

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-2-06	Abington Savings Bank Jenkintown Montgomery County	Maris Grove Retirement Community 100 Maris Grove Way Glen Mills Delaware County (Limited Service Facility)	Opened
10-3-06	CommunityBanks Millersburg Dauphin County	915 West Postal Road Douglassville Amity Township Berks County	Filed
10-4-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	400 Adams Shoppes Mars Butler County	Approved
10-4-06	Farmers and Merchants Trust Company of Chambersburg Chambersburg Franklin County	Carlisle Crossing Shopping Center Carlisle Cumberland County	Approved
10-4-06	Royal Asian Bank Philadelphia Philadelphia County	232 Broad Avenue Palisades Park Bergen County, NJ	Approved
10-5-06	Northwest Savings Bank Warren Warren County	West 4th Street (State Route 22/522) Granville Township Mifflin County	Approved
10-5-06	First Priority Bank Malvern Chester County	1200 Broadcasting Road Wyomissing Berks County	Filed
10-6-06	Stonebridge Bank Exton Chester County	319 East Street Road Warminster Bucks County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-18-06	Union Bank and Trust Company Pottsville Schuylkill County	Weis Supermarket Route 61 and St. Clair Avenue Pottsville Schuylkill County	Filed

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-6-06	Omega Bank State College Center County	Two branche offices Located at:  51 South Front Street Steelton Dauphin County 1100 Spring Garden Drive Middletown Dauphin County	Approved
10-6-06	Stonebridge Bank Exton Chester County	408 Lakeside Drive Southampton Bucks County	Approved

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-4-06	Belco Community Credit Union Harrisburg Dauphin County	1758 Oregon Pike Lancaster Lancaster County	Approved

**Change of Principal Place of Business**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-6-06	Philadelphia Post Office Employees' Credit Union Philadelphia Philadelphia County	<i>From:</i> 2970 Market Street Philadelphia Philadelphia County  <i>To:</i> 401 Baily Road Yeadon Delaware County	Approved and Effective

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

VICTORIA A. REIDER,  
*Acting Secretary*

[Pa.B. Doc. No. 06-2062. Filed for public inspection October 20, 2006, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of November 2006**

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of November 2006 is 7 1/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as a principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 4.83 to which was added 2.50 percentage points for a total of 7.33 that by law is rounded off to the nearest quarter at 7 1/4%.

VICTORIA A. REIDER,  
*Acting Secretary*

[Pa.B. Doc. No. 06-2063. Filed for public inspection October 20, 2006, 9:00 a.m.]

# DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## Snowmobile and ATV Advisory Committee Meeting

The Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) will hold a meeting on Tuesday, October 24, 2006, at 9 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, PA.

Questions concerning this meeting or agenda items should be directed to John Quigley at (717) 787-9632.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact John Quigley at (717) 787-9632 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 06-2064. Filed for public inspection October 20, 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

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

<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>
PA0034428 Renewal	Cove Haven, Inc. P. O. Box 400 Scotrun, PA 18355	Paupack Township Wayne County	UNT to Lake Wallenpaupack 01C	Y
PA0033472 Renewal	Camp Starlight, Inc. P. O. Box 33389 Palm Beach Gardens, FL 33420	Preston Township Wayne County	UNT to Shehawken Creek 01A	Y
PA0063479 Renewal	P & S Development Co. 2268 South 12th Street Allentown, PA 18103	Salem Township Wayne County	UNT to West Branch Wallenpaupack Creek 01C	Y
PA0060259 (Minor Sewage)	Tyler Hill Camp 85 Crescent Beach Road Glen Cove, NY 11542	Wayne County Damascus Township	Laurel Lake 1A	Y
PA0062286	Diocese of Scranton Church of Saint Benedict 300 Wyoming Avenue Scranton, PA 18503-1279	Newton Township Lackawanna County	UNT to Gardner Creek 4G	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>
PA0103152	Hydro-Pac, Inc. 7470 Market Road P. O. Box 921 Fairview, PA 16415	Fairview Township Erie County	UNT to Brandy Run 15-BR	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.*

**PA0056472**, Industrial Waste, SIC 2011, **Devault Packing Company, Inc. d/b/a Devault Foods**, 1 Devault Lane, Devault, PA 19432. This proposed facility is located in Charlestown Township, **Chester County**.

Description of Proposed Activity: This proposed action is for the renewal of an NPDES permit for the discharge of stormwater from an industrial facility.

The receiving stream, Valley Creek (Pa. Stream Code 00991), is in the State Water Plan Watershed 3F and is classified for EV. The nearest downstream public water supply intake is located on the Schuylkill River.

The proposed effluent limits for Outfalls 001—003 are based on a stormwater event.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>					Monitor and Report
COD					Monitor and Report
Oil and Grease					Monitor and Report
pH (Standard Units)					Monitor and Report

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum (mg/l)
Total Suspended Solids					Monitor and Report
Total Kjeldahl Nitrogen					Monitor and Report
Fecal Coliform					Monitor and Report
Iron, Total					Monitor and Report
Total Phosphorus					Monitor and Report

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

**PA0055026**, Industrial Waste, **The Wrightstown Group, LP**, 1337 Wrightstown Road, Wrightstown, PA 18940. This existing facility is located in Wrightstown Township, **Bucks County**.

Description of Proposed Activity: Renewal of an NPDES permit to remediate VOC impacted groundwater through an air stripper system. The site is located at 650 Durham Road in Wrightstown, PA.

The receiving stream, a UNT to Mill Creek, is in the State Water Plan Watershed 2F and is classified for WWF, migratory fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua PA Southeast Division is located on Neshaminy Creek and is approximately 18 miles below the point of discharge.

The proposed effluent limits for Outfall 003 are based on a design flow of 0.058 million gpd. Outfalls 001 and 002 are inactive.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum (mg/l)
Tetrachloroethylene			ND*	ND*	
Trichloroethylene			0.005	0.01	
pH (Standard Units)			6.0, I-min.		9.0

\*Not detectable using EPA Method 624-GC/MS or an approved method of equal sensitivity.

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

1. Remedial Measures if Public Nuisance.
2. Necessary Property Rights.
3. BAT Reopener.
4. Change in Ownership.
5. Air stripper Tower Wastewater.
6. 2/Month Monitoring.
7. Specification of Test Methods.
8. Influent Sampling.
9. Monitoring Well Sampling.

**No. PA0027103**, Sewage, **Delaware County Regional Water Quality Control Authority**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999. This application is for renewal of an NPDES permit to discharge 44 million gpd of treated sewage to the Delaware River, Zone 4. This is an existing discharge to the Delaware River.

The receiving stream is classified for the following uses: WWF (maintenance only), migratory fishes (passage only), aquatic life and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 44 mgd, are as follows:

Parameter	Average Monthly (mg/l)	Weekly Average (mg/l)	Instantaneous Maximum (mg/l)
BOD <sub>5</sub>	30	45	60
BOD <sub>5</sub> Percent Removal	89 1/4%		
Total Suspended Solids	30	45	60
Suspended Solids Percent Removal	85%		
Total Residual Chlorine	0.5		1.0
Oil and Grease	15		30
pH (Standard)	6.0 Min.		9.0
Fecal Coliform	200 #/100 ml		
Chlorodibromomethane	Monitor and Report		
Dichlorobromomethane	Monitor and Report		
1,2 Dichloroethane	Monitor and Report		
Tetrachloroethylene	Monitor and Report		
Trichloroethylene	Monitor and Report		
Copper, Total	Monitor and Report		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Lead, Total	Monitor and Report		
Zinc, Total	Monitor and Report	<b>Maximum Daily</b>	
Ammonia as Nitrogen	Monitor and Report	Monitor and Report	
Total Kjeldahl Nitrogen	Monitor and Report	Monitor and Report	
Nitrite as Nitrogen	Monitor and Report	Monitor and Report	
Nitrate as Nitrogen	Monitor and Report	Monitor and Report	

The permit authorizes to discharge stormwater from around the sewage treatment plant through Outfalls 028—030 to the Delaware River, Zone 4.

Also, DELCORA is authorized to discharge Combined Sewer Overflows through Outfalls 002, 004—027 and are subject to the following condition:

All discharges of floating materials, oil, grease, scum, sheen, foam and substances which produce color, tastes, odors, turbidity or settle to form deposits shall be controlled to levels which will not be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life.

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

1. BOD<sub>5</sub> Percent Removal Requirements.
2. Pretreatment Program.
3. Watershed TMDL/WLA Data.
4. WET Testing Requirements.
5. Maximize Flow to Treatment Plant.
6. CSO Reopener.
7. Stormwater Outfalls Requirements.
8. Combined Sewer Overflows.
9. PCBs Requirements.

**NPDES Permit No. PA0020460**, Sewage, SIC 4952. **Pennridge Wastewater Treatment Authority (Pennridge Wastewater Treatment Authority Wastewater Treatment Plant)**, 180 Maple Avenue, Sellersville, PA 18960, Sellersville Borough and West Rockhill Township, **Bucks County**, PA.

Description of Activity: Renewal of Sewage Treatment Plant's NPDES Permit to discharge treated sewage effluent to East Branch Perkiomen Creek.

The receiving water, East Branch Perkiomen Creek, is in the State Water Plan Watershed 3E-Perkiomen and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua PA is located on Perkiomen Creek and is approximately 10 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an approved annual average flow of 4.325 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	15.0	22.5		30
Total Suspended Solids	20.0	30.0		40
Ammonia as N (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Phosphorus as P	1.5			3.0
Fecal Coliform*	200#/100 ml			Monitor and Report
Dissolved Oxygen	5.0 (Min.)			
Zinc, Total	Monitor and Report			
Copper, Total	Monitor and Report			
Chromium, Hexavalent	Monitor and Report			
Cyanide, Free	Monitor and Report			
pH (Standard Units)	6.0 (Min.)			9.0 (Max.)

\*Ultra-Violet Disinfection.

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

1. Discharge must not cause nuisance.
2. Operate Industrial Pretreatment Program.
3. Proper sludge disposal.
4. Conduct Whole Effluent Toxicity Tests for next permit renewal application.
5. Monitor Bradshaw Reservoir diversion to East Branch Perkiomen Creek.

**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 210 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)	≥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 (1-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			
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 Max)		
WET (Acute)	Monitor and Report (Daily Max)		

\*Shall not exceed in more than 10% of samples.

The proposed effluent limitations 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



The proposed effluent limitations for Combined Sewer Overflow Outfalls 002—008, 010—052 and 058—060 are as follows:

Discharges of floating materials, oil, grease, scum, foam, sheen and substances which produce color, tastes, odors, turbidity or settle to form deposits shall be controlled to level which will not be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life.

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.

EPA waiver is not in effect.

**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)	≥89.25		
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-Dichloroethane	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		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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 Max.)		
(Acute)	Monitor and Report (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:

<i>Parameter</i>	<i>Instantaneous Minimum</i>	<i>Concentration (mg/l) Average Monthly</i>	<i>Instantaneous Maximum</i>
Flow (mgd)		Monitor and Report	
Duration (Minute)		Monitor and Report Monthly Total	
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:

<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

The proposed effluent limitations for combined sewer overflow Outfalls 001B, 002—047, 049—052, 054—072, 075, 078 and 082—084 are as follows:

Discharges of floating materials, oil, grease, scum, foam, sheen and substances which produce color, tastes, odors, turbidity, or settle to form deposits shall be controlled to levels which will not be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life.

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

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

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
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 (1-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, Total	Monitor and Report		
Phenols, Total	Monitor and Report		
Chloroform	Monitor and Report		
Dichlorobromomethane	Monitor and Report		
1,2-Dichloethane	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 Max)		
(Acute)	Monitor and Report (Daily Max)		

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

The proposed effluent limitations for Combined Sewer Overflow Outfalls 002—017 and 020—037 are as follows:

All discharges of floating materials, oil, grease, scum, foam, sheen and substances which produce color, tastes, odors, turbidity or settle to form deposits shall be controlled to level which will not be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life.

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.

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

**Application No. PA 0032557**, Sewage, **Logan Township Board of Supervisors**, 800 39th Street, Altoona, PA 16602-1799. This facility is located in Logan Township, **Blair County**.

Description of activity: The application is for renewal of an NPDES permit for existing discharge of treated sewage.

The receiving stream Little Juniata River is in Watershed 11-A and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough Water Authority is located on the Juniata River, approximately 120 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.14 mgd are:

<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> (5-1 to 10-31)	20	30	45
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	8.0		16
Total Phosphorus	2.0		4.0
Total Residual Chlorine	Monitor and Report		
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	6,000/100 ml as a geometric average		

In addition to the effluent limits, the permit contains the following major special conditions: A total annual nitrogen loading limit of 13,832 lbs/year and a total annual phosphorus loading limit of 1,729 lbs/year will be in effect 1 year after the permit effective date.

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

The EPA waiver is not in effect.

**Application No. PA 0248185**, Sewage, **Jackson Township Authority**, 60 North Ramona Road, Myerstown, PA 17067. This facility is located in Jackson Township, **Lebanon County**.

Description of activity: The application is for issuance of an NPDES permit for a new discharge of treated sewage.

The receiving stream a UNT to Tulpehocken Creek is in Watershed 3-C and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Western Berks Water Authority is located on the Tulpehocken Creek, approximately 32 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.50 mgd are:

<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> (5-1 to 10-31)	16	25	32
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	5		10
(11-1 to 4-30)	15		30

## NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Phosphorus	1.0		2.0
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		4,800/100 ml as a geometric average	

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

The EPA waiver is in effect.

**Application No. PA 0248452**, Sewage, **Paul Gettle**, 480 Cornman Road, Carlisle, PA 17013. This facility is located in North Middleton Township, **Cumberland County**.

Description of activity: The application is for issuance of an NPDES permit for new discharge of treated sewage.

The receiving stream a UNT of Wertz Run is in Watershed 7-B and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on the Conodoguinet Creek, approximately 15 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0005 mgd are:

<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		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N	Monitor and Report	Monitor and Report	Monitor and Report
Total Residual Chlorine	Monitor and Report	Monitor and Report	Monitor and Report
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		100,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

**Application No. PA 0248428**, Concentrated Animal Feeding Operation (CAFO), **Mark Leinbach**, 105 Hoover Lane, Loysville, PA 17047.

Mark Leinbach has submitted an NPDES permit renewal application for the Mark Leinbach Farm located in Tyrone Township, **Perry County**. The CAFO is situated near a UNT of Muddy Run (Watershed 7-A), which is classified as a WWF. The CAFO has a target animal population of approximately 772 animal equivalent units consisting of 5,800 finishing swine. Manure is stored in shallow pits below each of three barns and in an HDPE-lined manure storage impoundment. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

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

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

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3664.*

**PA0113751**, Industrial Waste SIC, N/A, **Northrop Grumman Space and Mission Systems Corporation**, 1840 Century Park East, Los Angeles, CA 90067-2199. This existing facility is located in Danville Borough, **Montour County**.

Description of Proposed Activity: This proposed action is for amendment of an NPDES permit for an existing discharge of treated industrial wastewater.

The receiving stream is Susquehanna River and is in the State Water Plan Watershed 5E and classified for WWF. The nearest downstream public water supply intake for Merck & Company is located on Susquehanna River is 2 miles below the point of discharge.

The proposed effluent limits for Outfall 002 based on a design flow of 0.32 mgd.

Parameter	Mass Units lbs/day			Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Minimum	Average Monthly	Daily Maximum	
pH			6.0			9.0
Vinyl Chloride					0.016	
1,1-Dichloroethene					0.036	
1,1-Dichloroethane					0.20	
t-1,2-Dichloroethene					0.30	
1,1,1-Trichloroethane					0.45	
Trichloroethene					0.525	
Polychlorinated Biphenyls					Nondetect	
Carbon Tetrachloride					0.30	
1,1,2-Trichloroethane					0.66	
1,2-dichloroethane					0.17	
cis-1,2-dichloroethene					0.27	
Chromium as Hex					Report	
Arsenic					Report	
Lead					Report	

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

**PA0218855**, Sewage, **Consol Pennsylvania Coal Company**, P. O. Box J, Claysville, PA 15323. This application is for renewal of an NPDES permit to discharge treated sewage from the Enlow Fork Mine 3 North No. 2 Portal Bathhouse STP in East Finley Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Rocky Run, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is in West Virginia.

*Outfall 001: existing discharge, design flow of 0.035 mgd.*

Parameter	Concentration (mg/l)			Instantaneous Maximum
	Average Monthly	Average Weekly	Maximum Daily	
CBOD <sub>5</sub> Day				
(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)	2.0			4.0
(11-1 to 4-30)	6.0			12.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.2			0.5
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA0223034, Amendment No. 1, Industrial Waste. Dufenco Farrell Corp., 15 Roemer Blvd., Farrell, PA 16121-2299.** This proposed facility is located in City of Farrell, **Mercer County**.

Description of Proposed Activity: an existing discharge of treated industrial waste, noncontact cooling water and stormwater.

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 (stream and Public Water Supplier) considered during the evaluation is the Shenango River and PA American Water Company intake located at New Castle, approximately 16 miles below point of discharge.

The receiving stream, Shenango River, is in Watershed 20-A and classified for WWF, aquatic life, water supply and recreation. This amendment removes the pH limits at both Suboutfalls 104 and 504. Compliance with the pH limits will be monitored at the main Outfall 004.

The EPA waiver is not in effect.

**PA0104442, Sewage. Breakneck Creek Regional Authority, P. O. Box 1180, Mars, PA 16046-1180.** This proposed facility is located in Adams Township, **Butler 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 Beaver Falls Municipal Authority—Eastvale Plant intake located on the Beaver River and is approximately 34 miles below point of discharge.

The receiving stream is the Breakneck Creek and is in Watershed 20-C and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.0 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>					
(5-1 to 10-31)	250	375	10	15	20
(11-1 to 4-30)	375	575	15	23	30
Total Suspended Solids	751	1,126	30	45	60
NH <sub>3</sub> -N					
(5-1 to 10-31)	37.5		1.5		3
(11-1 to 4-30)	82.6		3.3		6.6
Phosphorus as "P"	50		2		4
Chronic Whole Effluent Toxicity			1.09 TUc		
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
UV Light Intensity					Monitor and report the average intensity from the UV intensity meter in microwatts/square centimeter for each bank of modules on the monthly DMRs.
Dissolved Oxygen					Minimum of 6 mg/l at all times
pH					6.0 to 9.0 standard units at all times

XX—Monitor and report on DMRs.

The proposed effluent limits for Outfall 003 and 004 are based on a design flow of n/a mgd.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)

These discharges shall consist of uncontaminated stormwater runoff from the Sewage Treatment Plant site.

*Special Conditions:*

1. Ultraviolet Disinfection.
2. Whole Effluent Toxicity Testing (for the NPDES renewal).
3. Stormwater.
4. Sanitary Sewer Overflow.
5. Chronic Whole Effluent Toxicity Limit.

The EPA waiver is not in effect.

**PA0101656**, Industrial Waste. **Dominion Transmission—Big Run Division V Wastewater Treatment Plant**, 654 Carson Hill Road, Luthersburg, PA 15848. This existing facility is located east of the intersection of SR 119 and 410 in Henderson Township, **Jefferson County**.

Description of Proposed Activity: an existing discharge of treated industrial waste.

For the purpose of evaluating effluent requirements for TDS, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Allegheny River and the Kittanning Suburban Joint Water Authority located at Kittanning, 74 miles below point of discharge.

The receiving stream is Stump Creek and is in Watershed 17-D and is classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.01008 mgd.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)		0.01008			
Oil and Grease			15		30
Total Suspended Solids			30		60
Total Iron			3.5		7.0
Cadmium			0.084	0.168	0.21
Barium			154	308	385
MBAS			12		24
Zinc			0.39		0.79
Acidity				Less than Alkalinity	
Alkalinity			XX		
Benzene			XX		
Acrylamide (Monomer)				Nondetectable	
Osmotic Pressure (mOs/kg)			XX		
pH					within limits of 6.0 to 9.0 at all times.

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

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

**WQM Permit No. 4006405**, Sewerage, **Little Washington Wastewater Co.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3420. This proposed facility is located in White Haven Borough, **Luzerne County**, PA.

Description of Proposed Action/Activity: This project consists of expansion of the White Haven Wastewater Treatment Plant capacity to 600,000 gpd. The proposed system upgrade will replace the existing Hickory Hills and Ag-Mar WWTPs in Foster Township with two pump stations and convey the wastewater generated from these development to the existing Powerhouse Road Pumping Station.

**WQM Permit No. 4006406**, Sewerage, **Foster Township**, 1000 Wyoming Avenue, P. O. Box 465, Freeland, PA 18224. This proposed facility is located in Foster Township, **Luzerne County**, PA.

Description of Proposed Action/Activity: This project consists of construction of two new pump stations serving Ag-Mar Estates and Hickory Hills developments and additional collection system to convey wastewater to the White Haven Wastewater Treatment Plant.

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

**WQM Permit No. 0393202-A1**, Industrial Waste, **Creekside Mushrooms, Ltd.**, One Moonlight Drive, Worthington, PA 16262. This proposed facility is located in West Franklin Township, **Armstrong County**.

Description of Proposed Action/Activity: Application for permit amendment.

**WQM Permit No. 0206406**, Sewerage, **Berkshires, LLC**, 409 Broad Street, Suite 200, Sewickley, PA 15143. This proposed facility is located in South Fayette Township, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of gravity sewers to serve a single-family homes of a residential housing development.



**IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)****V. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)****VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities**

*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>
PAI011506076	Black Granite Village, LP 3441 St. Peters Road P. O. Box 428 St. Peters, PA 19470	Chester	Warwick Township	French Creek EV

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

*Wayne County Conservation District: 648 Park St., Honesdale, PA 18431, (570) 253-0930.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026406003	Department of Transportation District 4-0 55 Keystone Ind., Park Dunmore, PA 18512	Wayne	Dyberry Township	Big Brook HQ-CWF, MF Dyberry Creek HQ-CWF, MF Lackawaxen River HQ-CWF, MF

*Pike County Conservation District: HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025206011	Department of Transportation District 4-0 55 Keystone Ind., Park Dunmore, PA 18512	Pike	Delaware Lehman Township	Dingmans Creek Including Silverthread Falls HQ-CWF Hornbecks Creek HQ-CWF Briscoe Creek HQ-CWF Little Bushkill Creek EV Tributary to Delaware River HQ-CWF Toms Creek Including Bear Run Road EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032103003(1)	Sutliff Hummer, LLC 6462 Carlisle Pike Mechanicsburg, PA 17050	Cumberland	Silver Spring	Trindle Spring Run HQ-CWF

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

*Somerset County Conservation District, 6024 Glades Pike, Suite 103, Somerset, PA 15501, (814) 445-4652.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI055606004	The Buncher Company 5600 Forward Avenue P. O. Box 81930 Pittsburgh, PA 15217	Somerset	Jefferson Township	Laurel Hill Creek HQ/CWF

**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**

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

**Permit No. 0206511**, Public Water Supply.

Applicant	<b>Coraopolis Water &amp; Sewer Authority</b> 1012 Fifth Avenue Coraopolis, PA 15108
Township or Borough	Coraopolis Borough
Responsible Official	Thomas Cellante, Manager Coraopolis Water & Sewer Authority 1012 Fifth Avenue Coraopolis, PA 15108
Type of Facility	Water treatment plant
Consulting Engineer	Lennon, Smith, Souleret Engineering Inc. 846 Fourth Avenue Coraopolis, PA 15108
Application Received Date	September 25, 2006

Description of Action	Demolish Fleming Street and cemetery tanks, construct .7 MG steel reservoir and .75 MG steel elevated tank at Cemetery. Install pressure reducing stations, clean and paint School St. tank, replace existing Fleming Street booster station.
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**Permit No. 0406504**, Public Water Supply.

Applicant	<b>Borough of Conway</b> 1208 Third Avenue Conway, PA 15027
Township or Borough	Conway Borough
Responsible Official	Gregory Ritorto, Council President Borough of Conway 1208 Third Avenue Conway, PA 15027
Type of Facility	Water treatment plant
Consulting Engineer	NIRA Consulting Engineers, Inc. 950 Fifth Avenue Coraopolis PA 15108
Application Received Date	September 5, 2006

Description of Action	Replacement and relocation of a pump station, replacement of a storage tank, installation of an emergency interconnection with the Ambridge Water Authority, replacement of selected existing water mains and installation of a limited amount of new water mains.
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*Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Application No. 1006502**, Public Water Supply.

Applicant	<b>UMH Properties, Inc.</b>
Township or Borough	Cranberry Township <b>Butler County</b>
Responsible Official	Ayal Dreifuss, Regional Manager
Consulting Engineer	Robert L. Frey, Sr. Senior Project Engineer Morris Knowles & Assoc., Inc. 443 Athena Drive Delmont PA 15626
Application Received Date	10/10/2006
Description of Action	Treatment plant modification to include the addition of a sequestering agent for iron and manganese.

**WATER ALLOCATIONS**

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

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

**WA4-1007, Water Allocations. Borough of Conway,** 1208 Third Avenue, Conway, PA 15027, **Beaver County.** The applicant is requesting the right to purchase 210,000 gallons per day, peak month, on an emergency basis, from the Ambridge Water Authority.

## 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:

### DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

**Applications for Determination of Applicability Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.**

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

**General Permit Application No. WMGM002D002. Greentree Landfill Gas Company, LLC.,** 7913 Westpark Dr., Suite 101, McLean, VA 22102-4201.

General Permit Number WMGM002D002 is for the processing and beneficial use of landfill gas to produce medium to high Btu landfill gas, generated by the landfill disposal of municipal and residual waste, for use as a substitute for natural gas or other fuel. The Department of Environmental Protection determined the DOA application to be administratively complete on October 6, 2006.

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

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit Application No. 101685. Resource Recovery, LLC,** Peale Road and Gorton Road, Moshannon, PA 16859, located in Rush Township, **Centre County.** The permit application for a municipal waste landfill known as the Resource Recovery Landfill was deemed administratively complete by the Williamsport Office on October 2, 2006.

Comments concerning the application should be directed to David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the general permit application may contact the Williamsport Regional Office, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public

comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

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

Copies of 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**

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

**48-313-101: Praxair Distribution, Inc.** (145 Shimersville Road, Bethlehem, PA 18015) for reactivation of the acid gas scrubbing system at the facility in Bethlehem, **Northampton County**.

**45-310-044: Tarheel Quarry, LLC** (2000 Highway 35, Morgan, NJ 08879) for construction of a stone crushing operation and associated air cleaning device at their facility on Caughbaugh Road, Tobyhanna Township, **Monroe County**.

**54-399-040: Green Renewable Energy Ethanol and Nutrition-Holding, LLC** (1904 Tollgate Road, Palm, PA 18070) for construction of a bio-fuel processing and storage operation and associated air cleaning device at their facility on Route 209, Porter Township, **Schuylkill County**.

**40-317-031: The Hershey Company** (1025 Reese Avenue, Hershey, PA 17033) for construction of a waste sugar collection system and associated air cleaning device at the Hazleton Plant located in the Humboldt Industrial Park, Hazle Township, **Luzerne County**.

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

**01-03031B: ISP Minerals, Inc.** (P. O. Box O, 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214-0914) for use of an existing dryer and associated conveyors as standby/emergency equipment in Hamiltonban Township, **Adams County**. These sources will be controlled by the use of an existing fabric filter baghouse.

**28-03040: A & B Industrial Coatings** (9226 Mountain Brook Road, St. Thomas, PA 17252) for installation of a surface coating system in St. Thomas Township, **Franklin County**.

**38-05003E: Carmeuse Lime, Inc.** (3 Clear Springs Road, Annville, PA 17003) for use of cocoa waste as an alternate fuel in the No. 5 lime kiln at the Millard lime plant in North Londonderry Township, **Lebanon County**.

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

**08-00003E: CraftMaster Manufacturing, Inc.** (P. O. Box 311, Towanda, PA 18848) to install a regenerative thermal oxidizer to control the air contaminant emissions from the Die Form Tempering Kiln at the Towanda facility in Wysox Township, **Bradford County**.

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

**11-00506B: Ebensburg Power Co.** (P. O. Box 845, 2840 New Germany Road, Ebensburg, PA 15931) for Coal Refuse Reclamation Project at Nanty Glo West Refuse Site in Nanty Glo Borough, **Cambria County**.

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

**25-053D: Urick Foundry Co.** (1501 Cherry Street, Erie, PA 16502) for construction of a new continuous shot blast system to be controlled by an existing baghouse in the City of Erie, **Erie County**. This is a State-only facility.

**25-648C: NEPA Energy LP** (South Lake Street, North East, PA 16428) plan approval for modification of an existing ABCO Boiler at the North East Plant, in the Borough of North East, **Erie County**.

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

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

**01-03032A: Carma Industrial Coatings, Inc.** (710 Berlin Road, New Oxford, PA 17350) for installation of a surface coating system at their facility in Berwick Township, **Adams County**. VOC emissions from surface coating will be capped at 12 tons per year for the facility. The plan approval and subsequent State-only operating permit amendment will include emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**36-05028A: CNH America, LLC** (300 Diller Avenue, New Holland, PA 17557) for installation of a replacement surface coating system at their facility in New Holland Borough, **Lancaster County**. The facility's potential emissions will not be affected by this replacement. VOC emissions from surface coating will be capped at 180 tons per year. The plan approval and subsequent Title V operating permit amendment will include emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Surface coating activities at the facility are subject to 40 CFR part 63, Subpart M—National Emission Standards for hazardous Air Pollutants: Surface Coating of Miscellaneous Metal parts and Products.

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

**10-0281J: II-VI, Inc.** (375 Saxonburg Boulevard, Saxonburg, Butler, PA 16056-9499) for construction of three additional zinc selenide furnaces and associated air pollution control devices at their Saxonburg facility in Clinton Township, **Butler 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 the construction of three additional zinc selenide furnaces and associated air pollution control devices at the Saxonburg facility in Clinton Township, Butler County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date.

**25-053D: Urick Foundry Company** (1501 Cherry Street, Erie, PA 16502), for the construction of a new continuous shot blast system to be controlled by an existing baghouse in the City of Erie, **Erie County**. This is a State-only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall

comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- The PM emissions from this source shall not exceed 0.015 grains per dry standard cubic foot.
- A broken bag detector shall be maintained in good working order, to monitor the condition of the control device. This detector system shall automatically alert the operator of a problem with the control device.
- The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the following:
  - The dates of the inspections.
  - The name of the person performing the inspection.
  - Any problems or defects and the actions taken to correct the problem or defects.
  - Record of any bag/cartridge replacement.
  - Any mechanical repairs and/or adjustments.
  - The date and time of any alarms sounded that indicate a problem with the control device and the corrective action taken.
  - Any routine maintenance performed.
- The permittee shall maintain records of the following from the operational inspections:
  - Pressure drop across the baghouse.
  - The permittee shall perform a daily operational inspection of the control device.
    - The permittee shall install a magnehelic gauge or equivalent to measure pressure drop across the control device. The gauge shall be maintained in good working order at all times. The permittee shall develop the normal operating range for the control device and shall submit the normal operating range to the Department for approval prior to applying for an operating permit.
    - All gauges employed (pressure drop) shall have a scale such that the expected normal reading shall be no less than 20% of full scale and be accurate within  $\pm 2\%$  of full scale reading.
    - The permittee shall operate the control device at all times that the source is in operation.
    - The permittee shall keep on hand for emergency replacement, 25% of the total number of filter elements used for the control device.
    - The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

**10-345B: Allegheny Mineral Corporation—Murrinsville Plant** (102 Van Dyke Road, Harrisville, PA 16038) for modification of plan approval 10-345A conditions with regards to the rated capacity and the facility throughput limitation in Marion Township, **Butler County**. This is a State-only V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code

§ 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- The crushing/screening operation shall not exceed 800 tons of material per hour. This condition replaces the 600-tph limit from plan approval 10-345A.
- Annual production from the limestone crushing/screening plant shall not exceed 2.5 million tons during any consecutive 12-month period. This condition replaces the 1,000,000-tpy limit from plan approval 10-345A.
- All other conditions from plan approval 10-345A remain in effect.

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

**S06-005: Perfectseal** (9800 Bustleton Avenue, Philadelphia, PA 19116) for operation of a paper and paper products facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three boilers (less than 10 mmBtu/hr), five presses, one coater, one coater with 2 mmBtu/hr drying oven, trim systems, mixing operations, baghouse and two cyclones.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least 30 days before the hearing.

**AMS 06050: Sunoco, Inc.—R & M** (3144 Passyunk Avenue, Philadelphia, PA 19145) for installation of ReVAP technology on the 433 Hydrofluoric Acid Alkylation Unit (HFAU), including new storage and receiving facility for the ReVAP additive, and new cells for the 433 Cooling Tower, in the City of Philadelphia, **Philadelphia County**. The plan approval will also increase the maximum daily alkylate throughput capacity of the 433 HFAU from 22,500 barrels per day to 30,000 barrels per day on a rolling 365-day average and increase the permitted maximum operating limit of the 433 Isostripper H-1 Heater from 243 mmBtu/hr to 260 mmBtu/hr. Allowable emissions increases from the project will be 95.01 tons per year for NO<sub>x</sub>, 86.19 tons per year for CO, 7.35 tons per year for VOCs, 36.35 tons per year for SO<sub>x</sub> and 11.27 tons per year for PM.

Air Management Services proposes to place in the plan approval the following conditions to ensure compliance with all applicable regulatory requirements:

1. The HFAU shall be operated in accordance with the specifications in the application (as approved herein).
2. Sunoco, Inc. (R & M) (Sunoco) shall operate the HFAU in accordance with 40 CFR 60 Subparts A, GGG, 40 CFR 63 Subparts A, CC, 25 Pa. Code §§ 127.1, 123.13,

123.22, 123.41, 129.55, 129.58 and 129.91 and Air Management Regulation II, III and V whichever is more restrictive.

3. This plan approval may be terminated, suspended or revoked and reissued in accordance with 25 Pa. Code § 127.13a. If AMS or the Environmental Protection Agency determines that the owner or operator of Sunoco is liable for violations of the New Source Review or Prevention of Significant Deterioration Requirements, Sunoco shall submit an application to amend this plan approval and or any subsequently amended operating permit.

4. Upon notification, Sunoco shall remodel for SO<sub>2</sub> to demonstrate compliance with National Ambient Air Quality Standards (NAAQS) when AMS has cause to believe that the attainment or maintenance of the NAAQS is in jeopardy.

5. The allowable emissions for the H-1 Heater shall not exceed the following limits:

POLLUTANTS	EMISSION LIMITS	
	(lbs/ Concentration mmBtu) Tons/year	
Total PM/PM10	0.00745	8.5
SO <sub>2</sub>	0.033	37.6
CO	0.0985	112.2
NO <sub>x</sub>	0.035	39.9
VOC	0.0065	7.4

*Notes:*

a. Compliance with lbs/mmBtu emission limits shall be based on hourly continuous emission monitor data for NO<sub>x</sub> and three 1-hour stack tests, if required by AMS, for the other pollutants.

b. Tons per year emission limits are on a rolling 365-day basis. Compliance with these limits shall be based on continuous emission monitor data for NO<sub>x</sub> and stack test data (if required) or AP-42 emission factors, daily fuel usage, and fuel Btu content for the other pollutants.

c. Total PM/PM10 emission limits include filterable particulate, as measured by Method 5, and condensable particulate, as measured by Method 202.

d. PM, CO, and SO<sub>2</sub> concentration limits assure compliance with 25 Pa. Code §§ 123.11 and 123.22, AMR II § VII, and AMR VIII § II.

6. Sunoco may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following: (25 Pa Code § 123.41)

a. Equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour.

b. Equal to or greater than 60% at any time.

7. Sunoco shall not permit at any time the emission into the outdoor atmosphere of any malodorous air contaminants, in a manner that malodors are detectable outside its boundary. (25 Pa. Code § 123.31(b))

8. The HFAU production rate shall be limited to 30,000 barrels per day calculated on a 365-day rolling average basis.

9. The H-1 Heater shall operate with ultra low-NO<sub>x</sub> burners and with a heat input limit of 260 mmBtu/hr (24-hour average).

10. Fuel oil usage for the No. 3 Boiler House shall be limited to 18,611,250 gallons per rolling 12-month period.

11. Sunoco shall meet the requirements of 40 CFR 60, Subpart GGG (references VV) for fugitives associated with the 433 HFAU. For equipment in organic HAP service, Sunoco shall comply with the requirements for fugitives in 40 CFR 63, Subpart CC (references 40 CFR 60 Subpart VV).

12. In accordance with 25 Pa. Code § 129.55(d), the purging of VOCs during a unit turnaround shall be performed in a manner as to direct the volatile organic vapors to a fuel gas system, flare, or vapor recovery system until the initial pressure in the equipment reaches 19.7 psia.

13. If at any time AMS has cause to believe that air contaminant emissions from the H-1 Heater may be in excess of the limitations specified in Condition 5, Sunoco shall be required to conduct whatever test are deemed necessary by AMS to determine the actual emission rates

14. The H-1 Heater shall be equipped with NO<sub>x</sub> and O<sub>2</sub> continuous emission monitors and recorders at the outlet for compliance determination with the NO<sub>x</sub> emission limitation. The continuous monitors must conform to USEPA performance specifications in 25 Pa. Code § 123.31 and the PA DEP Continuous Source Monitoring Manual (PA CSMM). The Phase II performance testing of each continuous monitor shall occur within 60 days after achieving maximum production rate, but no later than 90 days after re-starting the unit.

15. Sunoco shall record the HFAU production rate daily and on a 365-day rolling average, calculated daily.

16. Sunoco shall record the H-1 Heater operating rate in mmBtu/hr hourly and on a 24-hour average, calculated hourly.

17. Sunoco shall calculate and record the fuel oil usage for the No. 3 Boiler House monthly for a rolling 12-month period.

18. Sunoco shall submit CEM and production reports to Air Management Services on a quarterly basis. CEM reports must meet the requirements of the PA CSMM.

19. Any notifications required, as a result of any condition herein should be directed to Chief of Source Registration, Air Management Services, 321 University Avenue, Philadelphia, PA 19104.

**AMS 06146: Geppert Brothers, Inc.** (2651 Southampton Road, Philadelphia, PA 19116) for installation of a Portable Eagle Concrete crusher with a 500 hp diesel engine in the City of Philadelphia, **Philadelphia County**. There will be a potential emission increase of 3.38 tons for NO<sub>x</sub> and 0.06 ton for PM for the facility. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

#### OPERATING PERMITS

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

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

**11-00016: Allegheny Energy** (800 Cabin Hill Drive, Greensburg, PA 15601) for Mitchell Power Station in the municipality of Monongahela, **Washington County**. This is a Title V Operating Permit Renewal.

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

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

**46-00040: National Label Co., Inc.** (2025 Joshua Road, Lafayette Hill, PA 19444) for operation of a printing facility in Whitemarsh Township, **Montgomery County**. The renewal permit is for a non-Title V (State-only) facility. Sources of air emissions include 11 printing presses, 1 thermal oxidizer and various support sources. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The facility was originally permitted under TVOP-46-00040, issued in November 2001. Since that time, the facility has begun to use more UV coatings and less solvent-based coating significantly reducing their air emissions.

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

**06-03130: Custom Design and Manufacturing Co., Inc.** (420 South Third Street, Hamburg, PA19526) for operation of a wooden cabinet coating operation known as Quaker Maid Cabinetry in the Hamburg Borough, **Berks County**. Emissions will be controlled by dry filters. The facility is not subject to Title V (State-only operating permit). The permit will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

#### **COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

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

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

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

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

*Coal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**56743705 and NPDES permit to be assigned. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). To revise the permit for the Mine 78 CRDA in Paint Township, **Somerset County** to conduct refuse operations, add acreage and two NPDES points, and change operation name from Windber Mine No. 78 CRDA. CRDP Support Acres Proposed 29. Receiving stream: UNT to Paint Creek, classified for the following use: CWF. Application received: August 10, 2006.

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

**56980103 and NPDES No. PA0234699. Godin Brothers, Inc.** (128 Colton Drive, Stoystown, PA 15563). Revision of an existing bituminous surface mine to change the land use from woodland and wildlife habitat to pastureland in Lincoln and Jenner Townships, **Somerset County**, affecting 133.5 acres. Receiving streams: UNTs to Quemahoning Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: September 29, 2006.

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

**30060101 and NPDES Permit No. PA0250970. SBX Corporation** (668 Lower Hildebrand Road, Morgantown, WV 2650). Application for commencement, operation and reclamation of a bituminous surface mine, located in Dunkard Township, **Greene County**, affecting 50.9 acres. Receiving stream: Meadow Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: September 27, 2006.

**03010103 and NPDES Permit No. PA0202991. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Renewal application for reclamation only to an existing bituminous surface mine, located in Kiskiminetas Township, **Armstrong County**, affecting 145.6 acres. Receiving streams: UNTs to Kiskiminetas River, Long run and Sulphur Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: September 28, 2006.

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

**40060201. New Generation Coal, Inc.** (183 Market Street, Suite 200, Kingston, PA 18704). Commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Hughestown and Duryea Borough, **Luzerne County** affecting 159.0 acres, receiving stream: none. Application received: October 2, 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>			
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.

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

**4274SM11 and NPDES No. PA0212512. New Enterprise Stone & Lime Company Inc.**, (P. O. Box 77, New Enterprise, PA 16664). Revision of an existing noncoal surface mine to deepen the existing Roaring Spring quarry from the 900' MSL to the 850' MSL in the northern half (Phase I) of the quarry area for only the dolostone reserves in Taylor Township, **Blair County**, affecting 430.0 acres. Receiving streams: Halter Run and Plum Creek classified for the following use: CWF. Application received: September 25, 2006.

**Permit No. 6476SM12 and NPDES Permit No. PA0612464. N. L. Minich & Sons, Inc.**, (730 North College Street, Carlisle, PA 17013-1800). Renewal of NPDES Permit, North Middleton Township, **Cumberland County**. Receiving stream: Meetinghouse Run classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: September 28, 2006.

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

**7475SM3T and NPDES Permit No. PA0612308. Keystone Cement Company** (P. O. Box A, Bath, PA 18014). Transfer of an existing quarry operation from Keystone Cement Company in East Allen Township, **Northampton County** affecting 852.7 acres, receiving stream: Monacacy Creek, classified for the following use: CWF. Application received: October 4, 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 Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E46-999. JC Melrose CC, Inc.**, 7600 Tookany Creek Parkway, Cheltenham, PA 19012, Cheltenham Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a pedestrian bridge across Tacony Creek. The site is located approximately 1,200 feet southwest of the intersection of Levick Street and Tookany Creek Parkway. (Frankford, PA-NJ USGS Quadrangle N: 9.6 inches, W: 14.7 inches).

**EA46-016. Sapphire Development Company**, 357 S. Gulph Road, King of Prussia, PA 19401, New Hanover Township, **Montgomery County**, ACOE Philadelphia District.

To impact 0.06 acre of wetland (PSS) associated with the construction of a nonjurisdictional dam, which will facilitate a stormwater management basin in the proposed Trotter's Gait Residential Development. The work includes a proposal to construct 0.06 acre of replacement wetland onsite.

This site is located approximately 1,200 feet northwest of the intersection of Dotterer Road and Layfield Road (SR 0663), (Sassamansville, PA USGS Quadrangle N: 10.8 inches; W: 11.4 inches).

**E46-996. New Hanover Township**, 2943 Charlotte Street, Gilbertsville, PA 19525-9718, New Hanover Township, **Montgomery County**, ACOE Philadelphia District.

To place fill in 0.03 acre of wetland (PSS) associated with the widening of Dotterer Road, adjacent to the proposed trotter's gait residential development.

This site is located approximately 1,200 feet northwest of the intersection of Dotterer Road and Layfield Road (SR 0663), (Sassamansville, PA USGS Quadrangle N: 10.8 inches; W: 11.4 inches) in New Hanover Township, Montgomery County.

**E23-462. James Caufield, Section Chief, PA Historical and Museum Commission**, Baltimore Pike and Ring Road, Chadds Ford, PA 19317, Chadds Ford Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain a utility line crossing under existing culvert across UNT to Harvey Run. The proposed utility line crossing is required for water supply to Historical site for sprinkler system in State-owned historical buildings.

The site is located at crossing of Baltimore Pike and Ring Road (Wilmington North, DEL-PA USGS Quadrangle N: 22.10 inches W: 10.5 inches).

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

**E48-374. Stephen J. and Lisa K. Laubach**, 316 Persimmon Lane, Bangor, PA 18013-6039, in Upper Mount Bethel Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 4-inch diameter sanitary sewer line stream crossing in a tributary to Martins Creek (TSF) and adjacent wetlands. This work is associated with the construction of a proposed house on the east side of Township Road T743 (Fox Gap Road) (Stroudsburg, PA Quadrangle N: 7.3 inches; W: 12.0 inches).

**E13-153. Department of Conservation and Natural Resources, Bureau of Forestry—District 18**, 890 SR 0903, Jim Thorpe, PA 18229, in Lower Towamensing Township, **Carbon County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a dry hydrant in Buckwha Creek (HQ-CWF, MF), for the purpose of providing fire protection (Palmerton, PA Quadrangle N: 13.7 inches; W: 3.1 inches).

**E13-154. Department of Conservation and Natural Resources, Bureau of Forestry—District 18**, 890 SR 0903, Jim Thorpe, PA 18229, in Penn Forest Township, **Carbon County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a dry hydrant in Towamensing Lake (HQ-CWF), for the purpose of providing fire protection (Pohopoco Mountain, PA Quadrangle N: 21.3 inches; W: 10.3 inches).

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

**E67-807: Worthington Investments, LLP**, Eight Greenspring Valley Road, Suite 200, Owings Mills, MD 21117 in Conewago Township, **York County**, ACOE Baltimore District.

To construct and maintain a 6.0-foot high, 25.0-foot span, 55.0-foot long reinforced concrete box culvert with rip-rap rock aprons in Locust Run (TSF) at a point just East of Canal Road (Dover, PA Quadrangle N: 5.7 inches, W: 5.1 inches; Latitude: 40° 3' 50", Longitude: 76° 78' 40") in Conewago Township, York County.

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

**E17-421. Lilavati Corporation**, 1383 Treasure Lake, Dubois, PA 15801. Water Obstruction and Encroachment Joint Permit Application for hotel and restaurant/conference center complex, in Sandy Township, **Clearfield County**, ACOE Pittsburgh District (Falls Creek, PA Quadrangle N: 3.3 inches; W: 5.3 inches).

The applicant proposes to place and maintain fill within 0.52 acre of PSS/PEM wetlands, and redirect 150 feet of an ephemeral watercourse tributary to Slab Run for the purposes of constructing a 71-unit hotel and 200-patron restaurant/conference center complex on a 8.36 acres site. The wetlands are classified as "other wetlands" by the Department. The watercourse has a 6 acre drainage area at the site location. Slab Run has a 25 Pa. Code Chapter 93 water use protection designation of CWF. The project is sited immediately south of the SR 219 and Interstate 80 interchange, approximately 2,000 feet west of Falls Creek, PA. The applicant is proposing to replace the 0.52 acre wetland impact onsite through the construction of 0.56 acre of wetlands.

**E17-423. Clearfield County**, 203 East Market Street, Clearfield, PA 16830. Burnside Township Road No. 315 (T-315) Bridge Replacement across West Branch Susquehanna River in Burnside Township, **Clearfield County**, ACOE Baltimore District (Burnside, PA Quadrangle N: 7.9 inches; W: 3.2 inches).

To remove an existing structure and construct, operate and maintain a two-span prestressed spread box beam bridge to carry T-315 over West Branch Susquehanna River (WWF). The two-span bridge shall be constructed with a minimum clear span of 170 feet along the roadway centerline, and an underclearance of 14.1 feet. Construction of in-stream bridge appurtenances and temporary structures shall be conducted during stream low flow, and dry work conditions by dams and pumping, fluming or diverting stream flow around work areas. The bridge replacement project will permanently impact 0.05 acre of wetlands and 110 feet of stream channel that is located at the western right-of-way of SR 0219, at the intersection of T-315 and SR 0219. This permit also authorizes construction, operation, maintenance and removal of temporary cofferdams, stream diversions and roadway crossings. All temporary structures shall be constructed of clean rock, which is free of fines. Upon project completion, all temporary structures shall be removed with the disturbed areas restored to original contours and elevations. The Department of Environmental Protection deems the 0.05 acre of wetland permanently impacted by the project as de minimis, and as such, the permittee shall not be required to construct replacement wetland to mitigate the permanent impact.

**E60-179. Peter M. Brinkmann**, 110 Fisher Circle, Mifflinburg, PA 17844. Site Restoration, in West Buffalo Township, **Union County**, ACOE Baltimore District (Mifflinburg, PA Quadrangle N: 15.89 inches; W: 13.19 inches).

To construct, operate and maintain a rock-lined 100-foot long by 6-foot wide by 2-foot deep interceptor drainage ditch and its rock-lined outfall apron to a UNT to North Branch Buffalo Creek located 200 feet upstream of the second stream crossing of Fisher Circle Road. This project proposes to impact 8 linear feet of the left bank of the UNT tributary of North Branch Buffalo Creek that is classified as a HQ-CWF.

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

**E63-589. Columbia Gas of Pennsylvania, Inc.,** 150 Arentzen Boulevard, Charleroi, PA 15022. To construct and maintain a natural gas pipeline in Peters and North Strabane Townships, **Washington County**, Pittsburgh ACOE District. (Canonsburg, PA Quadrangle N: 3.6 inches; W: 1. 0 inches; and Latitude: 40° 16' 10" Longitude: 80° 07' 55.4"). The applicant proposes to construct and maintain a 4-inch diameter; natural gas pipeline along and across Canonsburg Lake on Chartiers Creek (WWF) for approximately 445 feet by means of the directional bore method.

**ENVIRONMENTAL ASSESSMENTS**

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

**EA48-008NE. Northampton County,** Greystone Building Complex, Nazareth, PA 18064. Upper Mount Bethel Township, **Northampton County**, United States Army Corps of Engineers Philadelphia District.

To restore and maintain: 1) a public boat launching facility; and 2) the alignment of Mill Creek to its pre-flood configuration, which were altered by recent floods. The project is located on County property at Doe Hollow Park, just southeast of the intersection of River Road and Riverton Road (Belvidere, PA-NJ Quadrangle N: 15.9 inches; W: 13.4 inches).

**STORAGE TANKS**

**SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

*SSIP*

<i>Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
06015	Sunnyside Ethanol, LLC 5000 McKnight Rd. Suite 405 Pittsburgh, PA 15237 Attn: Richard DeCesar	Clearfield	Curwensville Borough	Eight ASTs storing petroleum products and hazardous substances	1,264,400 gallons total petroleum products  90,200 gallons total hazardous substances

**ACTIONS**

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

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

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

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable

general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. Permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0029874	Skytop Lodge Corporation 1 Skytop Skytop, PA 18357	Barrett Township Monroe County	Levitt Branch (1E)	Y

*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>
PA0082601 (Sewage)	James Decker, Jr. Hartslog Courts R. R. 7, Box 919 Altoona, PA 16601	Huntingdon County Porter Township	UNT Crooked Creek 11-B	Y
PA0081582 (Sewage)	William Horner Possum Valley Municipal Authority P. O. Box 420 Bendersville, PA 17306	Adams County Menallen Township	Opossum Creek 7-F	Y
PA0084221 (Sewage)	Reed Clingerman Hidden Springs Campground P. O. Box 190 Flintstone, MD 21530	Bedford County Southampton Township	Rocky Gap Run 13-A	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>
PA0114677	Coastal Aluminum Rolling Mills, Inc. 2475 Trenton Avenue Williamsport, PA 17701-7904	Lycoming County City of Williamsport	UNT to Fox Hollow SWP 10A	Y
PA0032352	Williamsport Area School District Hepburn Lycoming Elementary School R. R. 2 Cogan Station, PA 17728-9802	Lycoming County Hepburn Township	Lycoming Creek (10A)	Y
PA0033316	Knittle Enterprise Pine Crest Village MHP 170 Pinecrest Drive Williamsport, PA 17701-9325	Lycoming County Eldred Township	UNT to Millers Run (10B)	Y

<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>
PA0010430 IW	Hanover Foods Corporation P. O. Box 193 Centre Hall, PA 16828	Centre County Potter Township	Sinking Creek 6A	Y
PA0113069 SP	Greenwood Township Municipal Authority 90 Shed Road Millville, PA 17846	Columbia County Greenwood Township	Rickard Hollow 5C	Y
PA0110540 (NIWM)	Furman Foods Inc. P. O. Box 500 Northumberland, PA 17857-0500	Northumberland County Point Township	West Branch Susquehanna River 10D	Y
PA0209562 IW	Eagle Environmental II, LP 11 New Street Englewood Cliffs, NJ 07632	Clearfield County Chest Township	Chest Creek, Pine Run UNT to Pine Run and UNT to North Camp Run 8B	Y
PA0228435	Brady Township 1986 Elimsport Road Montgomery, PA 17752	Lycoming County Brady Township	UNT of Black Run 10C	Y
PA0114936 SP	BCI Municipal Authority Cressview Street Extension Irvona, PA 16656	Clearfield County Irvona Borough	Clearfield Creek 8C	Y
PA0044032 (Industrial Wastewater)	Fish and Boat Commission Upper Spring Creek State Fish Hatchery 1735 Shiloh Road State College, PA 16801-8495	Benner Township Centre County	Spring Creek 9C	Y
PA0039144 (Industrial Wastewater)	Fish and Boat Commission Oswayo State Fish Hatchery 96 State Route 244 East Coudersport, PA 16915-9646	Oswayo Township Potter County	Oswayo Creek 16C	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>
PA0002593 Industrial Waste	Summerill Tube Corporation P. O. Box 302, Franklin Street Scottdale, PA 15683	Westmoreland County Borough of Scottdale	Stauffer Run	Y
PA0033219 Sewage	J. William Dyer P. O. Box 364 Sewickley, PA 15143-0364	Beaver County New Sewickley Township	UNT of Brush Creek	Y
PA0097799 Sewage	Jerry F. Smith 1001 Clubhouse Drive Donegal, PA 15628	Westmoreland County Donegal Township	Minnow Run	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>
PA0035581	Department of Transportation Bureau of Design McKean Co. Maintenance Building P. O. Box 3060 Harrisburg, PA 17105-3060	Lafayette Township McKean County	UNT to Three Mile Run 16-B	Y
PA0238414	Roger A. and Amy L. Sandak SFTF 124 Memory Lane New Castle, PA 16101	Waterford Township Erie County	LeBoeuf Creek 20-A	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. PA0010944 Amendment No. 1, IW, Occidental Chemical Company, 375 Armand Hammer Boulevard, Lower Pottsgrove Township, Montgomery County.**

The following notice reflects changes to the notice published at 36 Pa.B. 2028 (April 29, 2006):

Trichloroethene (TCE) effluent limit = 0.0045 mg/l  
 Cis-1,2-Dichloroethene (DCE) effluent limit = 0.00275 mg/l  
 Addition of chemical addition monitoring for algae and fouling control.  
 VOC testing utilizing USEPA Method 624.  
 Addition of Best Management Practices to drainage swale.

**NPDES Permit No. PA0035769**, Industrial Waste, **Smithfield Beef Group, Inc. (Moyer Packing Company)**, P. O. Box 23000 Green Bays, WI 54305-3000. This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from a facility located at 741 Souder Road into the Skippack Creek in Watershed 3E.

**NPDES Permit No. PA0051713**, Industrial Waste, **Degussa Corporation**, 1200 West Front Street, Chester PA 19013. This proposed facility is located in the City of Chester, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal and increase the discharge from the facility into Delaware Estuary Zone 4 in Watershed 3G-Ridley.

**NPDES Permit No. PA0021857**, Sewage, **Souderton Borough**, 31 West Summit Street, Souderton, PA 18964. This proposed facility is located in Franconia Township, **Montgomery County**.

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

**NPDES Permit No. PA0025976**, Sewage, **Upper Moreland Hatboro Joint Sewer Authority**, 2875 Terwood Road, P. O. Box 535. Willow Grove, PA 19090-0535. This proposed facility is located in Upper Moreland Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage into Pennypack Creek in Watershed 3J.

**NPDES Permit No. PA0058378**, Sewage, **Upper Uwchlan Township Municipal Authority**, 140 Pottstown Pike, Chester springs, PA 19425. This proposed facility is located in Upper Moreland Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated from a facility known as St. Andrews Brae STP into the Black Horse Creek in Watershed 3H.

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

**NPDES Permit No. PA0246867**, Transfer, Sewage, **Dusan Bratic, Plaza Management, Inc.**, 150 Nationwide Drive, Harrisburg, PA 17110. This proposed facility is located in Reed Township, **Dauphin County**.

Description of Proposed Action/Activity: Transfer of Permit.

**NPDES Permit No. PA0248029**, Sewage, **Hustontown Joint Sewage Authority**, P. O. Box 606, Hustontown, PA 17229. This proposed facility is located in Dublin and Taylor Townships, **Fulton County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT of the Lamberson Branch in Watershed 12-C.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-0530.*

**NPDES Permit No. PA0010553**, Industrial Wastewater (SIC code 0921), **Fish and Boat Commission**, Benner Springs State Fish Hatchery, 1735 Shiloh Road, State College, PA 16801-8495. This facility is located in Benner Township, **Centre County**.

Description of Action/Activity: The action is the renewal of NPDES permit (PA0010553) for two discharges (Outfall 001and Outfall 002) of treated industrial wastewater generated at the Benner Springs State Fish Hatchery.

he receiving stream, Spring Creek, is in the State Water Plan Watershed 9C and is classified for HQ-CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is located on the West Branch Susquehanna River near Milton, PA. The discharge is not expected to affect the water supply.

The effluent limits for Discharge 001, based on a design flow of 9.216 mgd, are:

Parameter	Mass (lbs)		Mass (lb/day)		Concentration (mg/l)		
	Total Annual	Total Monthly	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum mg/l
Flow (mgd)			Report	Report	Within range 6.0 to 9.0		
pH (S.U.)					Report		
D.O.					Report		
CBOD <sub>5</sub>			384.3	768.6	5.0	10.0	12.5
TSS	Report	Report	461.2	922.3	6.0	12.0	15.0
Dissolved P			23.1	46.1	0.3	0.6	0.75
Total P	Report*	Report			Report		
NH <sub>3</sub> -N		Report	76.9	153.7	1.0	2.0	2.5
Formaldehyde			76.9	153.7	1.0	2.0	2.5

Parameter	Mass (lbs)		Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Total Annual	Total Monthly	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Total N	Report*	Report			Report		
Kjeldahl N		Report			Report		
NO <sub>2</sub> /NO <sub>3</sub> -N		Report			Report		
Particulate Org Carbon	Report	Report	Report		Report		

\*Limits to be established after 2 years of monitoring.

The effluent limits for Discharge 002, based on a design flow of 1.296 mgd, are:

Parameter	Mass (lbs)		Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Total Annual	Total Monthly	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Flow (mgd)			Report	Report			
PH (S.U.)					Within range 6.0 to 9.0		
D.O.					Report	Report	
CBOD <sub>5</sub>			54.0	108.0	5.0	10.0	12.5
TSS	Report	Report	64.9	129.7	6.0	12.0	15.0
Dissolved P			2.0	4.0	0.3	0.6	0.75
Total P	Report*	Report			Report		
NH <sub>3</sub> -N		Report	10.8	21.6	1.0	2.0	2.5
Formaldehyde			10.8	21.6	1.0	2.0	2.5
Total N	Report*	Report			Report		
Kjeldahl N		Report			Report		
NO <sub>2</sub> /NO <sub>3</sub> -N		Report			Report		
Particulate Org Carbon	Report	Report	Report		Report		

\*Limits to be established after 2 years of monitoring.

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

Part C I. Solids Management.

Part C II. Affirmative Defense Provisions.

Part C III. Therapeutic Chemical Use Requirements.

Part C IV. BMP Implementation to maintain liner and baffles in existing polishing pond and install high capacity microscreen or microfilter units.

Part C V. Schedule of Compliance and limits on biomass production if schedules are not maintained.

Part C VI. Allowable Annual TSS Effluent Loading—36,110 pounds per year.

Persons may make an appointment to review the Department files on this case by calling the file review coordinator at (570) 327-3693.

The EPA waiver is in effect.

**NPDES Permit No. PA0010561**, Industrial Wastewater (SIC code 0921), **Fish and Boat Commission**, 1735 Shiloh Road, State College, PA 16801-8495. This facility is the **Pleasant Gap State Fish Hatchery** located in Benner Township, **Centre County**.

Description of Action/Activity: The action is the renewal of NPDES permit (PA0010561) for two discharge points (Outfall 001 and Outfall 002) of treated industrial wastewater generated at the Pleasant Gap State Fish Hatchery. Outfall 002 is an alternate discharge point to Outfall 001, and is only used when the existing settling lagoons are being cleaned. Outfall 001 and Outfall 002 are not to be operated simultaneously.

The receiving stream, Spring Creek, is in the State Water Plan Watershed 9C and is classified for HQ-CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is located on the West Branch Susquehanna River near Milton, PA. The discharge is not expected to affect the water supply.

The effluent limits for Discharge 001, based on a design flow of 5.508 mgd, are:

Parameter	Mass (lbs)		Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Total Annual	Total Monthly	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Flow (mgd)			Report	Report			
PH (S.U.)					Within range 6.0 to 9.0		
D.O.					Report	Report	
CBOD <sub>5</sub>			230.0	460.0	5.0	10.0	12.5
TSS	Report	Report	275.6	551.2	6.0	12.0	15.0
Dissolved P			13.8	27.6	0.3	0.6	0.75
Total P	Report	Report			Report		
NH <sub>3</sub> -N		Report	46.0	92.0	1.0	2.0	2.5

Parameter	Mass (lbs)		Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Total Annual	Total Monthly	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Formaldehyde			46.0	92.0	1.0	2.0	2.5
Total N	Report	Report			Report		
Kjeldahl N		Report			Report		
NO <sub>2</sub> /NO <sub>3</sub> N		Report			Report		
Particulate Organic Carbon	Report	Report	Report		Report		

The effluent limits for Discharge 002, based on a design flow of 5.508 mgd, are:

Parameter	Mass (lbs)		Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Total Annual	Total Monthly	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Flow (mgd)			Report	Report			
PH (S.U.)					Within range 6.0 to 9.0		
D.O.					Report	Report	
CBOD <sub>5</sub>			230.0	460.0	5.0	10.0	12.5
TSS	Report	Report	275.6	551.2	6.0	12.0	15.0
Dissolved P			13.8	27.6	0.3	0.6	0.75
Total P	Report	Report			Report		
NH <sub>3</sub> -N		Report	46.0	92.0	1.0	2.0	2.5
Formaldehyde			46.0	92.0	1.0	2.0	2.5
Total N	Report	Report			Report		
Kjeldahl N		Report			Report		
NO <sub>2</sub> /NO <sub>3</sub> -N		Report			Report		
Particulate Org Carbon	Report	Report	Report		Report		

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

Part C I. Solids Management.

Part C II. Affirmative Defense Provisions.

Part C III. Therapeutic Chemical Use Requirements.

Part C IV. BMP Implementation to maintain liner and baffles in existing polishing pond and install high capacity microscreen or microfilter units.

Part C V. Schedule of Compliance and limits on biomass production if schedules are not maintained.

Part C VI. Allowable Annual TSS Effluent Loading—18,950 pounds per year.

Part C VII. Fish Biomass Quarterly Reporting.

Part C VIII. Outfall 001 and Outfall 002 are not to be operated simultaneously.

Persons may make an appointment to review the Department files on this case by calling the file review coordinator at (570) 327-3693.

The EPA waiver is in effect.

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

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

**WQM Permit No. 2202405, Transfer 1, Sewerage, Dusan Bratic, Plaza Management, Inc.,** 150 Nationwide Drive, Harrisburg, PA 17110. This proposed facility is located in Reed Township, **Dauphin County**.

Description of Proposed Action/Activity: Transfer of Permit (Riverside Apartments).

**WQM Permit No. 2206403, Sewerage, Adelaide Fuhrman, Dauphin Borough,** P. O. Box 487, Dauphin, PA 17018. This proposed facility is located in Dauphin Borough, **Dauphin County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of sewerage facilities consisting of an aerated grit chamber, duplex pump station, and force main.

**WQM Permit No. 2803407, Transfer 1, Sewerage, Dorsey Builders, Inc.** 13090 Old Frederick Road, Skesville, MD 21784. This proposed facility is located in Mercersburg Borough and Peters Township, **Franklin County**.

Description of Proposed Action/Activity: Transfer of Permit (Findlay Park PS and Sewage System).

**WQM Permit No. 2906401, Sewerage, Hustontown Joint Sewage Authority,** P. O. Box 606, Hustontown, PA 17229. This proposed facility is located in Dublin and Taylor Townships, **Fulton County**.

Description of Proposed Action/Activity: Approval for the construction of sewerage facilities consisting of modification of the existing treatment plant to include construction of a new 0.028 mgd Sequencing Batch Reactor, chlorine disinfection, and direct discharge to a UNT of Lamberson Branch. Also, the existing Bioclere treatment units and the drain field will be abandoned..



**WQM Permit No. WQG02280605**, Sewerage, **Charles Goetz, Antrim Township Municipal Authority**, 10655 Antrim Church Road, P. O. Box 130, Greencastle, PA 17225. This proposed facility is located in Antrim Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of Pembroke Development Pump Station No. 25.

**WQM Permit No. WQG02280603**, Sewerage, **Charles Goetz, Antrim Township Municipal Authority**, 10655 Antrim Church Road, P. O. Box 130, Greencastle, PA 17225. This proposed facility is located in Antrim Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of the Rochester Place Pump Station.

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

**WQM Permit No. WQG01590602**, Sewerage, **United States Army Corps of Engineers**, R. D. 1, Box 65, Tioga, PA 16946-9733. This facility is located in Lawrence Township, **Tioga County**.

Description of Proposed Action/Activity: The applicant is approved for the use of a Water Quality Management General Permit to construct and operate an existing small flow treatment facility at the Cowanesque Dam. The treatment system consists of a septic tank, subsurface sand filter, chlorination and a discharge to the Cowanesque Lake (WWF).

**WQM Permit No. WQG01590603**, Sewerage, **United States Army Corps of Engineers**, R. D. 1, Box 65, Tioga, PA 16946-9733. This facility is located in Tioga Township, **Tioga County**.

Description of Proposed Action/Activity: The applicant is approved for the use of a Water Quality Management General Permit to construct and operate an existing small flow treatment facility at the Tioga-Hammond Dam. The treatment system consists of a septic tank, subsurface sand filter, chlorination and a discharge to the Tioga River (CWF).

**WQG Permit No. WQG 01170601**, Sewerage, **Travis P. Smith**, 211 Main Street, Troutville, PA 15866. This proposed facility will be located at Gearhart Lane, DuBois in Brady Township, **Clearfield County**.

Description of Proposed Action/Activity: Permit issuance for a small flow treatment facility consisting of a septic tank, effluent filter, sand filter, chlorination and discharge.

**WQM Permit No. WQG02590601**, Sewerage 4952, **Borough of Elkland, Tioga Township**, 105 Parkhurst Street, Elkland, PA 16920. This proposed facility will be located in Borough of Elkland, **Tioga County**.

Description of Proposed Action/Activity: The applicant is approved under the Water Quality Management General Permit to construct and operate the Pattison Avenue Pump Station and associated sanitary sewers.

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

**WQM Permit No. WQG016129**, Sewerage, **John I. Loughman**, 178 Maple Avenue, Washington, PA 15301-2032. This proposed facility is located in West Finley Township, **Washington County**.

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

**WQM Permit No. 5606404**, Sewerage, **Jonathan Hayman**, 1224 Dividing Ridge Road, Fairhope, PA 15538. This proposed facility is located in Brothersvalley Township, **Somerset County**.

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

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

**WQM Permit No. WQG018497**, Sewerage, **Andrew Durst**, 302 McKee Crossing, New Castle, PA 16105. This proposed facility is located in Neshannock Township, **Lawrence County**.

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

**WQM Permit No. WQG018496**, Sewerage, **James L. and Margaret M. Deily**, 131 Ninth Avenue, Pittsburgh, PA 15229-1352. This proposed facility is located in Borough of Utica, **Venango County**.

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

**WQM Permit No. WQG018498**, Sewerage, **James J. and Lena P. Silvis**, R. R. 1, Box 269, Tidioute, PA 16351. This proposed facility is located in Deerfield Township, **Warren County**.

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

**WQM Permit No. WQG018503**, Sewerage, **Clinton B. Warner**, 9267 Mercer Pike, Meadville, PA 16335. This proposed facility is located in Union Township, **Crawford County**.

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

**WQM Permit No. WQG018493**, Sewerage, **Vern Bechtel**, HC 2, Box 21, Tionesta, PA 16353. This proposed facility is located in Hickory Township, **Forest County**.

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

**IV. NPDES Stormwater Discharges from MS4 Permit Actions****V. NPDES Waiver Stormwater Discharges from MS4 Actions****VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

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

*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504091	Joe Budis 10 First Street Murray Hill, NJ 07974	Chester	Honeybrook Borough and Township	West Branch Brandywine Creek (HQ)
PAI011506027	Bently By Design 1595 Paoli Pike West Chester, PA 19380	Chester	Willistown Township	UNT West Branch Crum Creek (EV)
PAI011506057	Marco Equipment Sales, LLC 472 North Shirk Road New Holland, PA 17557	Chester	Honeybrook Township	Municipal Separate Storm Sewer
PAI011506060	Springs Development, LLC 215 South Broad Street, 10th Fl Philadelphia, PA 19107	Chester	Charlestown Township	UNT Pickering Creek (HQ-TSF)

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

*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024503009-1	Richard Thulin Arcadia Properties, LLC Bethlehem, PA 18017	Monroe	Coolbaugh Township	Tobyhanna Creek HQ-CWF

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

*Lycoming County Conservation District: 542 County Farm Road, Suite 202, Montoursville, PA, 17754, (570) 433-3003.*

*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAR103947R	Nathan Yoder Susquehanna Valley Development Group 5960 Susquehanna Trail Turbotville, PA 17772	Lycoming	Williamsport	Daugherty Run WWF

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

*Fayette County Conservation District, 10 Nickman Plaza, Lemont Furnace, PA 15456, (724) 438-4497.*

*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052606003	Dominion Transmission, Inc. 445 West Main Street Clarksburg, WV 26301	Fayette	Georges, North Union and Wharton Townships	Mill Run Laurel Run Lick Run (HQ-CWF)

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

*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061606002	CBF Contracting Inc. P. O. Box 186 Sligo, PA 16255 and Sharp Properties, LP 1041 Sharp Avenue Ephrata, PA 17522	Clarion	Beaver Township	UNT Canoe Creek HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062506002	Greater Erie Industrial Dev. Corp. 5240 Knowledge Parkway Erie, PA 16510-4658	Erie	Erie City	Cemetery and Motsch Runs Lake Erie WWF City of Erie Municipal Separate Storm Sewer GEIDC Private Storm Sewer

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

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

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

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

#### General Permit Type—PAG-2

<i>Facility Location &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>
Hilltown Township Bucks County	PAG20009030511	Toll Brothers, Inc. 3110 York Road Furlong, PA 18925	Pleasant spring Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown and East Rockhill Townships Bucks County	PAG2000904187	Prospect Acquisition, LP 404 Sumneytown Pike Suite 200 North Wales, PA 19454	East Branch Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Britain Township Bucks County	PAG2000906138	Verlis Corporation 4371 County line Road Chalfont, PA 18914	West Branch Neshaminy Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Richland Township Bucks County	PAG2000905118	Gunna-Quakertown, LLC 100 Chesterfield Parkway Suite 300 Chesterfield, MO 63005	Tohickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

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<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>
Perkasie Borough Bucks County	PAG2000906144	Perkasie Borough P. O. Box 96 Perkasie, PA 18944	East Branch Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Rockhill Township and Sellersville Borough Bucks County	PAG2000906104	Hughes, LLC 1523 Ridge Road Perkasie, PA 18944	East Branch Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Durham Township Bucks County	PAG2000906108	Howard Knuth 5065 Lehnenberg Road Kintnersville, PA 18930	Rodges Run (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Rockhill Township Bucks County	PAG2000905114	Rockhill Mennonite Community 3250 State Road Sellersville, PA 18960	East Branch Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG2002306034	Concord Township 689 Smutbridge Road Glen Hills, PA 19342	West Branch Chester Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Chester Delaware County	PAG2002306052	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Delaware Estuary (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chadds Ford Township Delaware County	PAG2002306046	Joseph Meaney 396 Ring Road Chadds Ford, PA 19317	Harvey Run (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106038	School District of Philadelphia 440 North Broad Street 3rd Floor Philadelphia, PA 19130-4015	Combined Sewer Cobbs Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106052	Jewish Employment and Vocational Services 1845 Walnut St, 7th Floor Philadelphia, PA 19103	Byberry Creek Poquessing Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Foster Township Schuylkill County	PAG2005406022	Louis Denaples 400 Mill St. Dunmore, PA 18510	Swatara Creek CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Centre County Boggs Township	PAG2001406017	Robert Jones CCDA Waters, LLC 1 Aqua Penn Drive Milesburg, PA 16853	Bald Eagle Creek WWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Montour County Derry Township	PAG2004706009	Peter Drost 4070 Mountain Street Beamsville, ORLOR1B7 Canada	Mud Creek WWF	Montour County Conservation District 112 Woodbine Lane, Suite 2 Danville, PA 17821 (570) 271-1140

<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>
Union County Kelly Township	PAG2006006010	Dave Hassehplag Maintenance Facility Expansion & Recreation 551 Zeigler Road Lewisburg, PA 17837	UNT to Susquehanna River WWF	Union County Conservation District 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Allegheny County Moon Township	PAR10A600	Maronda Homes, Inc. 202 Park West Drive Pittsburgh, PA 15275	Flaugherty Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Richland Township	PAG2000204048	SMG Development, LLC 120 Route 980 Ext. Tarentum, PA 15084	Glade Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County North Fayette Township	PAG2000204076	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Robinson Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County City of Pittsburgh	PAG2000204108-1	Port Authority of Allegheny County 345 Sixth Avenue Third Floor Pittsburgh, PA 15222-2527	Allegheny River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County City of Duquesne	PAG2000205030-1	City of Duquesne 12 S. Second Street Duquesne, PA 15110	Monongahela River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Plum Borough	PAG2000206011	Doak Borst 970 Douglas Drive Pittsburgh, PA 15239	Plum Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Ohio Township	PAG2000206022	Green Valley Land Co., LLP 1700 North Highland Road Pittsburgh, PA 15241	Lowries Run (TSF)	Allegheny County CD (412) 241-7645
Allegheny County Munhall Borough	PAG2000206028	Hardin Place, Inc. 2323 Macleer Road Sewickley, PA 15143	Monongahela River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Penn Hills	PAG2000206035	Errol S. Abdulla 101 Laurie Drive Pittsburgh, PA 15235	Thompson Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Jefferson Hills Borough	PAG2000206038	George A. Fedela 1645 State Route 885 Clairton, PA 15025	Lick Run (TSF)	Allegheny County CD (412) 241-7645
Allegheny County Ross Township	PAG2000206041	Simon Property Group 115 West Washington Street Indianapolis, IN 46204-3240	Thompson Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County City of Pittsburgh	PAG2000206043	Pittsburgh Water & Sewer Authority 441 Smithfield Street Pittsburgh, PA 15222	Chartiers Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Moon Township	PAG2000206047	Foltz Development P. O. Box 401 Bridgeville, PA 15017	Boggs Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Marshall Township	PAG2000206048	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Brush Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Moon Township	PAG2000206049	Newpointe Realty 3016 Fallbrook Drive Coraopolis, PA 15108	Flaugherty Run (WWF)	Allegheny County CD (412) 241-7645

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<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>
Allegheny County City of Pittsburgh	PAG2000206052	Noah Development, LLC 718 Mulberry Street Beaver, PA 15009	Sawmill Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Richland Township	PAG2000206055	Giant Eagle, Inc. 261 Kapp Drive RIDC Park Pittsburgh, PA 15238	Deer Creek (CWF)	Allegheny County CD (412) 241-7645
Allegheny County Stowe Township	PAG2000206056	Ohioview Housing Partners 100 Wood Street 7th Floor Pittsburgh, PA 15219	Ohio River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Jefferson Hills Borough	PAG2000206057	Columbus Family Partners, LP 3525 Lebanon Church Road West Mifflin, PA 15122	Peters Creek (TSF)	Allegheny County CD (412) 241-7645
Allegheny County City of Duquesne	PAG2000206059	American Textile Company 10 North Linden Street Duquesne, PA 15110	Monongahela River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Marshall Township	PAG2000206064	Oakview, LP Box 97 Nicholson Road Wexford, PA 15090	Big Sewickley Creek (CWF)	Allegheny County CD (412) 241-7645
Allegheny County City of Pittsburgh	PAG2000206067	PNC Realty Services 620 Liberty Avenue Pittsburgh, PA 15222	Allegheny River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Monroeville	PAG2000206070	Daniel J. Crable 618 Greenleaf Drive Monroeville, PA 15146	Thompson Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Scott Township	PAG2000206072	Walgreen Company 106 Wilmont Road Deerfield, IL 60015	Painters Run (WWF)	Allegheny County CD (412) 241-7645
Beaver County Center Township	PAG2000405006-1	Alan Patel—Forza Group 451 Washington Avenue Bridgeville, PA 15017	UNT to Moon Run (WWF)	Beaver County CD (724) 378-1701
Beaver County Center Township	PAG2000406014	Frank Zokaites Zokaites Contracting, Inc. 375 Gulfside Drive Wexford, PA 15090	UNT to Moon Run (WWF)	Beaver County CD (724) 378-1701
Somerset County Allegheny Township New Baltimore Borough	PAG2005606005	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Raystown Branch of the Juniata (CWF) Wambaugh and Three Lick Run (WWF)	Somerset County CD (814) 445-4652
Mercer County Grove City Borough	PAG2004306011	Mercer County 503 Mercer County Courthouse Mercer, PA 16137	Wolf Creek CWF	Mercer Conservation District (724) 662-2242

*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>
Bensalem Township Bucks County	PAR600031	Gougler Alwyn d/b/a Al's Auto Parts 4339 Old Lincoln Hwy. Trevose, PA 19053	Neshaminy Creek 2F Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

*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>
City of Philadelphia Philadelphia County	PAR800111	Atlantic Aviation Corp 8375 Enterprise Ave. Philadelphia, PA 19153	Eagle Creek 3G Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Upper Providence Township Montgomery County	PAR140013	Bluegrass Folding Carton Co., LLC 1035 Longford Rd Phoenixville, PA 19460	Schuylkill River 3D Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
West Goshen Township Chester County	PAR200009	Metallurgical Products Co. P. O. Box 19381 West Chester, PA 19381	UNT to Chester Creek 3H Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Chester Township Delaware County	PAR140010	Smurfit Stone Container Enterprises, Inc. 100 McDonald Blvd. Aston, PA 19014	Chester Creek 3G Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Lancaster County Rapho Township	PAR803572	Con-Way Freight 110 Parkland Plaza Ann Arbor, MI 48103	Little Chickies Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
City of Williamsport Lycoming County	PAR144805	Smurfit-Stone Container Enterprises 2940 Reach Road Williamsport, PA 17701	West Branch Susquehanna River WWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Williamsport Lycoming County	PAR204824	Coastal Aluminum Rolling Mills, Inc. 2475 Trenton Avenue Williamsport, PA 17701-7904	Fox Hollow Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Middlecreek Township Snyder County	PAR224811	Wood-Mode, Inc. One Second Street Kreamer, PA 17833	Middle Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Derry Township Westmoreland County	PAR116115	Airo Die Casting, Inc. 1004 Industrial Boulevard Loyalhanna, PA 15661	UNT to Saxman Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

NOTICES

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*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>
Cranberry Township Venango County	PAR128308	Rolling Frito Lay Sales, LP 800 Hickory Drive Aberdeen, MD 21001	UNT to Twomile Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Adams Township Butler County	PAR238327	James Austin Company P. O. Box 827 Mars, PA 16046-0827	Breakneck Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Corry Erie County	PAR208325	Corry Forge Company 441 East Main Street Corry, PA 16407	City of Corry Storm Sewers to Hare Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4*

*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>
Bedford County Kimmel Township	PAG043545	Dennis D. Cowher 2302 Schellsburg Road Queen, PA 16670	Beaverdam Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Cumberland County North Newton Township	PAG043564	Daniel J. Kyle 6 Bridgewater Road Newville, PA 17241	UNT Green Spring Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Fannett Township	PAF043524	Alice M. Meloy 22448 Path Valley Road Doyleburg, PA 17219	Burns Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Tioga Township Tioga County	PAG045212	United States Army Corps of Engineers Tioga/Hammond Dam R. D. 1, Box 65 Tioga, PA 16946-9733	Tioga River CWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3666
Brady Township Clearfield County	PAG045225	Travis Smith 211 Main Street Troutville, PA 15866	UNT to Luthersburg Branch CWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Washington County West Finley Township	PAG046329	John I. Loughman 178 Maple Avenue Washington, PA 15301-2032	UNT of Robinson Fork	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000



<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>
West Salem Township Mercer County	PAG048785	Angela L. and Jeremy M. Gaus 153 North Good Hope Road Greenville, PA 16125	UNT to Big Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Neshannock Township Lawrence County	PAG049289	Andrew Durst 302 McKee Crossing New Castle, PA 16105	Neshannock Creek 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Borough of Utica Venango County	PAG049288	James L. and Margaret M. Deily 131 Ninth Avenue Pittsburgh, PA 15229-1352	French Creek 16-G	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Deerfield Township Warren County	PAG049290	James J. and Lena P. Silvis R. R. 1, Box 269 Tidioute, PA 16351	UNT to Snow Run 16-F	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Union Township Crawford County	PAG049294	Clinton B. Warner 9267 Mercer Pike Meadville, PA 16335	UNT to French Creek 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Woodcock Township Crawford County	PAG048776	Gary Galford 20855 Fisher Road Meadville, PA 16335	UNT to Woodcock Creek 16-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Hickory Township Forest County	PAG049285	Vern Bechtel HC 2, Box 21 Tionesta, PA 16353	Allegheny River 16-F	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-5*

<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>
Haverford Township	PAG050029	Sunoco, Inc. (R & M) 350 Eagleview Boulevard Suite 300 Exton, PA 19341	Darby Creek Via Storm Sewer	Southeast Regional Office 2 East Main Street Norristown, PA 19401

*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>
Cressona Borough Schuylkill County	PAG082206	Cressona Borough Authority 68 S. Sillyman St. Cressona, PA 17929	Cressona Sewage Treatment Plant 78 S. Sillyman St. Cressona, PA 17929	NERO 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

*Facility Location:*

<i>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>
Conemaugh Township Indiana County	PAG086106	Redevelopment Authority of the City of Johnstown Public Safety Building 4th Floor 401 Washington Street Johnstown, PA 15901	Steele Farm	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-9*

<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>
Lycoming County Jackson Township	PAG-09-4838	Lynn Brion 1858 Brion Road Liberty, PA 16930	Brion Farm Lycoming County Jackson Township	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664

*General Permit Type—PAG-9 (SSN)*

<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>
Lycoming County Jackson Township	PAG-09-4838	Lynn Brion 1858 Brion Road Liberty, PA 16930	Brion Farm Lycoming County Jackson Township	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664

**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 No. 4506503, Public Water Supply.**

Applicant	<b>The Chateau Resort</b> 300 Camelback Road Tannersville, PA
Township or Borough	Pocono Township
County	<b>Monroe County</b>
Type of Facility	Public Water System
Consulting Engineer	Niclaus Engineering Corp 804 Sarah Street Stroudsburg, PA
Permit to Construct Issued	September 14, 2006

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

**Permit No. M. A.—Construction** Public Water Supply.

Applicant	<b>Tylersville Mutual Water Association</b>
Township or Borough	Logan Township
County	<b>Clinton</b>
Responsible Official	Tylersville Mutual Water Association c/o Richard T. Miller, Operator Box 44 Tylersville, PA 17783-0044
Type of Facility	Public Water Supply—Construction
Consulting Engineer	Patrick J. Ward, P. E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Permit Issued Date	October 10, 2006
Description of Action	Rehabilitation of infiltration gallery.

#### **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 Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

##### *Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Silver Spring Township	6475 Carlisle Pike Mechanicsburg, PA 17055	Cumberland

*Plan Description:* Approval of a revision to the Official Sewage Plan of Silver Spring Township, Cumberland County. The proposed Cumberland Chase subdivision consists of a 279-lot residential subdivision plus a community center. The proposal also includes hooking up the adjacent St. Katherine's Church, which is currently served by an onlot sewage disposal system, to the proposed sewage collection system. The proposed collection system includes a new sewage pump station and force main to be dedicated to the Silver Spring Township Authority, and with sewage treatment at the Silver Spring Township Sewage Treatment Plant. The Department's review of the sewage facilities update revision has not identified any significant impacts resulting from this proposal.

##### *Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Shrewsbury Township	121341 Susquehanna Trail South Glen Rock, PA 17327	York

*Plan Description:* Paul Blakemore Farm, A3-67955-214-2: The plan consists of a three lot single-family residential subdivision on 95.533 acres with total proposed sewage flows of 800 gpd to be treated by individual on-lot disposal systems. The subdivision will be served

with individual water supplies. The proposed development is located on the northwest and southeast sides of Valley Road and west side of Hametown Road in Shrewsbury Township, York County. The plan was disapproved because the hydrogeologic study contained in the planning information received by the Department and required by 25 Pa. Code § 71.62(c), contained information that the groundwater will be excessively polluted on a portion of the property and that the onsite sewage systems proposed for this subdivision will excessively pollute the waters of the Commonwealth in violation of The Clean Streams Law. The condition is considered a nuisance and is prohibited. Specifically, the groundwater easement in the proposal does not lay down-gradient of the primary or replacement on-lot sewage disposal systems and will not intersect the dispersion plumes.

## **LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

### **PREAMBLE 2**

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

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

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

The Department has received the following plans and reports:

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

**Pineville Lansdale Assoc., LP**, Lansdale Borough, **Montgomery County**. Harris Brody, Accredited Env. Technologies, Inc., 28 N. Pennell Rd., Media, PA 19063 has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Kinelski Res.**, Towamencin Township, **Montgomery County**. Richard Trimpi, Trimpi Assoc., Inc. 1635 Old Plains Rd., Pennsburg, PA 18073 on behalf of Charles Kinelski, 2075 Creek Way, Lansdale, PA 19446 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Deckers Res.**, Doylestown Township, **Bucks County**. Staci Cottone, J & J Spill Service & Supplies, Inc., P. O. Box 370, Blue Bell, PA 19422 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Dulisse Res.**, North Coventry Township, **Chester County**. Gilbert J. Marshall, P. G., Marshall Geoscience, Inc. 170 E. First Ave., Collegeville, PA 19426 has submitted a 90 days Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**PECO Newtown MGP**, Newtown Borough, **Bucks County**. John Roberts, Jacques Whitford Company, 450 S. Gravers Road, Ste., 105, Plymouth Meeting, PA 19462 on behalf of Rabbi Yehuda Shemtov, Lubavithc of Bucks County/Glazier Jewish Community Ctr., 25 N. State Street, Newtown, PA 18940. has submitted a Final Report concerning remediation of site soil and groundwater contaminated with PAHs. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Belmont Cleaners**, Lower Merion Township, **Montgomery County**. Michael Christie, Penn Env. & Remediation, Inc. 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Michael Kirschner, Kirschner Brothers Co., 518 W. Lancaster Ave., P. O. Box, 525, Haverford, PA 19041 has submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with VOCs, chlorinated solvents and MTBE. The report is intended to document remediation of the site to meet the Site-Specific Standards.

*Northeast Regional Field Office: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**Former Techneglas Facility**, Jenkins Township, **Luzerne County**. Mike Antonetti, P. G., Malcolm Pirnie, Inc., 1603 Carmody Court, Suite 403, Sewickley, PA 15143 has submitted a combined Remedial Investigation Report and a Final Report (on behalf of his client, Marvin Katz, TGPI, Inc., 4300 Walnut Street, Westerville, OH 43081) concerning residual concentrations of inorganics in soils used in the former site operations and petroleum hydrocarbons as the result of historic releases. The reports were submitted to document attainment of the Site-Specific Soil and Groundwater Standard.

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

**Myers Adam Property**, Perry Township, **Berks County**. GemChem, Inc., 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543-384, on behalf of Myers Adam, 109 Pine View Road, Shoemakersville, PA 19555, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the Statewide Health Standard. The report was submitted within 90 days of the release.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Stericycle Corp.**, Montgomery Township, **Montgomery County**. Thomas M. Hippensteal, P. G., Environmental Research, P. O. Box 940, Spring House, PA 19477 on behalf of Paul Hartman, Stericycle Corp., 257 Congdon Rd., Volutown, CT 06384 has submitted a Low Risk Property Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Low Risk Property Final Report was approved by the Department on August 7, 2006.

**Raser Res.**, North Coventy Township, **Chester County**. Richard M. Ley, P. G., RML, 1375 Steeple Chase Rd., Downingtown, PA 19335 on behalf of Cecelia Raser, 1069 Grandview Cir., Pottstown, PA 19465 has submitted a Low Risk Property Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Low Risk Property Final Report was approved by the Department on August 16, 2006.

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

**2 Edie Lane/Szabo Property (former Lorenzo Residence)**, Palmer Township, **Northampton County**. Claude Vendever, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 has submitted a Final Report (on behalf of his client, Maria Szabo, 1514 Sculac Drive, Bethlehem, PA 18020) concerning the remediation of site soils impacted with home heating oil. The Final Report was submitted on September 27, 2006, to document the attainment of the residential Statewide Health Standard and was approved on October 4, 2006. Future use of the property will be for residential purposes.

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

**Suburban Heating Oil Partners Gettysburg**, Straban Township, **Adams County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Suburban PA Property Acquisitions, LLC, 5793 Widewaters Parkway, Suite 100, Syracuse, NY, 13214-2811, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 heating oil. The final report demonstrated attainment of the residential Statewide Health Standard, and was approved by the Department on October 2, 2006.

**Walter Stein Residence**, Oliver Township, **Mifflin County**. Marshall Miller Associates, 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011 and Response Environmental, Inc., 912 Spring Circle, Mechanicsburg, PA 17055, on behalf of Walter Stein, 6157 US Highway 522 South, McVeystown, PA 17051, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The final report demonstrated attainment of the residential Statewide Health Standard, and was approved by the Department on October 3, 2006.

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

**Schlow Centre Region Library**, State College Borough, **Centre County**. Converse Consultants, 2738 W. College Avenue, State College, PA 16801 on behalf of Schlow Centre Region Library, 223 S. Allen St., State College, PA 16801 has submitted a Final Report concerning remediation of site soil contaminated with PCE fluid.

The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 2, 2006.

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

**Markovitz Enterprises—Flowline Division**, Shenango Township, **Lawrence County**. Bruce Shaw, American Geosciences Inc. 3925 Reed Blvd., Suite 400, Murrysville, PA 15668 on behalf of Markovitz Enterprises, Inc.—Flowline Division, 1400 New Butler Road, New Castle, PA 16107 has submitted a Site Specific Remedial Investigation Report concerning the remediation of site soil and groundwater impacted by chlorinated solvents as a result of historical use of a vapor degreaser. The report was received by the Department on September 29, 2006.

**US Bronze Foundry and Machine**, Woodcock Township, **Crawford County**. GeoSyntec Consultants, 10015 Old Columbia Road, Suite A-200, on behalf of US Bronze Foundry & Machine, Inc., 18649 Brake Shoe Road, Meadville, PA 16335 has submitted a Site Specific Remedial Investigation Report entitled "Site Characterization Report," concerning the remediation of the Slag Reclamation Bank, which was contaminated with lead, copper, zinc and antimony. The Department received the report on September 22, 2006.

**US Bronze Foundry and Machine**, Woodcock Township, **Crawford County**. GeoSyntec Consultants, 10015 Old Columbia Road, Suite A-200, on behalf of US Bronze Foundry & Machine, Inc., 18649 Brake Shoe Road, Meadville, PA 16335 has submitted a Site Specific Remedial Investigation Report entitled "Site Characterization Report," concerning the remediation of the foundry's soils and sediments, which were contaminated with lead. The Department received the report on September 22, 2006.

**US Bronze Foundry and Machine**, Woodcock Township, **Crawford County**. GeoSyntec Consultants, 10015 Old Columbia Road, Suite A-200, on behalf of US Bronze Foundry & Machine, Inc., 18649 Brake Shoe Road, Meadville, PA 16335 has submitted a Site Specific Remedial Investigation Report entitled "Site Characterization Report," concerning the remediation of the South Parking Lot, which was contaminated with lead copper and zinc. The Department received the report on September 22, 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.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.*

**PAD987266715. Safety Kleen Systems, Inc.** 77 Towpath Road, Fairless Hills, PA 19030, Falls Township, **Bucks County**. Draft permit prepared for renewal of the Fairless Hills Service Center's storage facility. Public comment period ends 45 days after date of this publication. Draft permit and fact sheet available at the Southeast Regional Office. Written comments may be sent to the Southeast Regional Office at the address noted. Draft permit issued on October 5, 2006.

**PAD000738849. Safety Kleen Systems, Inc.** 1140 Greenhill Road, West Chester, PA 19380, West Goshen Township, **Chester County**. Draft permit prepared for renewal of the West Chester Service Center's storage facility. Public comment period ends 45 days after date of this publication. Draft permit and fact sheet available at the Southeast Regional Office. Written comments may be sent to the Southeast Regional Office at the address noted. Draft permit issued on October 5, 2006.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.**

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

**Permit ID No. 301291. Ashland Chemical Company,** 2650 Neville Road, Pittsburgh, PA 15225. Operation of a residual waste incinerator landfill in Neville Township, **Allegheny County**. Permit issued in the Regional Office on October 2, 2006.

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

**Permit Application No. 101684. Meadville Redi-Mix Concrete Inc.,** 19824 Cochran Road, Meadville PA 16335, West Mead Township, **Crawford County**. The application is for a new facility known as the Meadville Redi-Mix Construction/Demolition Waste Transfer Station. The permit was issued by the Northwest Regional Office on October 10, 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.**

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

**39-310-031GP3: Muschilitz Excavating, Inc.** (615 Moorestown Drive, Bath, PA 18014) on September 6, 2006, to construct and operate a portable stone crushing plant and associated air cleaning device at their Whitehall Cement Plant in Whitehall Township, **Lehigh County**.

**45-310-043GP3: Popple Construction, Inc.** (202 Main Street, Laflin, PA 18702) on September 26, 2006, to construct and operate a portable stone crushing plant and associated air cleaning device at their Arcadia North Business Park in Coolbaugh Township, **Monroe County**.

**45-310-042GP3: ER Linde Construction Corp.** (9 Collan Park, Honesdale, PA 18431) on September 26, 2006, to construct and operate a portable stone crushing plant at Quarry Lane Cresco in Barrett Township, **Monroe County**.

**35-310-045GP3: Haines and Kibblehouse, Inc.** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on September 6, 2006, to construct and operate a portable

stone crushing plant at Scranton Material in Ransom Township, **Lackawanna County**.

**39-302-186GP1: Nestle Waters North America Inc.** (405 Nestle Way, Breinigsville, PA 18031) on September 6, 2006, to construct and operate two Bryan natural gas fired boilers at their facility in Upper Macungie Township, **Lehigh County**.

**39-302-187GP1: Nestle Waters North America, Inc.** (405 Nestle Way, Breinigsville, PA 18031) on September 6, 2006, to construct and operate Cleaver Brooks Boiler No. 1 fired by natural gas and No. 2 fuel oil at their facility in Upper Macungie Township, **Lehigh County**.

**39-302-188GP1: Nestle Waters North America, Inc.** (405 Nestle Way, Breinigsville, PA 18031) on September 6, 2006, to construct and operate Cleaver Brooks Boiler No. 2 fired by natural gas and No. 2 fuel oil at their facility in Upper Macungie Township, **Lehigh County**.

**39-302-189GP1: Nestle Waters North America, Inc.** (405 Nestle Way, Breinigsville, PA 18031) on September 6, 2006, to construct and operate Cleaver Brooks Boiler No. 3 fired by natural gas and No. 2 fuel oil at their facility in Upper Macungie Township, **Lehigh County**.

**40-310-063GP3: Popple Construction, Inc.** (202 Main Street, Laflin, PA 18702) on September 26, 2006, to construct and operate a portable stone crushing plant and associated air cleaning device at the Pepsi Construction Site in Wright Township, **Luzerne County**.

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

**GP1-06-03006: Narrow Fabric Industries, Inc.** (701 Reading Avenue, West Reading, PA 19611) on October 5, 2006, for Small Gas and No. 2 Fired Combustion Units under GP1 in West Reading Borough, **Berks County**.

**GP1-31-05016: Juniata College** (1700 Moore Street, Huntingdon, PA 16652) on October 5, 2006, for Small Gas and No. 2 Oil Fired Combustion Units under GP1 in Huntingdon Borough, **Huntingdon County**.

**GP3-21-03074: Haines and Kibblehouse, Inc.** (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474) on October 2, 2006, for Portabale Nonmetallic Mineral Processing Plant under GP3 in Dickinson Township, **Cumberland County**.

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

**GP-43-347: Terra Resources—Taylor Mine** (2687 Valley Road, Fredonia, PA 16124 on September 30, 2006, for a portable mineral processing plant in Jefferson Township, **Mercer County**.

**GP-43-320: Vista Resources—Deer Creek Compressor Station** (Grange Road, Mercer, PA 16137) on October 31, 2006, for three natural gas fired compressor engines in Deer Creek Township, **Mercer County**.

**GP-25-058: VA Medical Center** (135 East 38th Street, Erie PA 16504) on October 1, 2006, with an effective date of November 30, 2006, for renewal to operate three natural gas fired boilers in Erie, **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.**

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

**48-306-011: Northampton Generation Co., LP** (1 Horwith Drive, Northampton, PA 18067) on September 25, 2006, to amend the existing emission limits of the power generation equipment at their facility in Northampton Borough, **Northampton County**.

**45-320-005: United Envelope, LLC** (P. O. Box 37, Mount Pocono, PA 18344) on September 12, 2006, to construct six flexographic printing presses at their facility in Coolbaugh Township, **Monroe County**.

**40-320-026: Quebecor World USA, Inc.** (Humboldt Industrial Park, P. O. Box 409Z, Hazleton, PA 18201) on September 7, 2006, to construct a cold set offset lithography printing press at their facility in Hazleton, **Luzerne County**.

**40-317-029: ADM Cocoa** (Humboldt Industrial Park North, North Park Drive, Hazleton, PA 18201) on September 25, 2006, to construct a cocoa manufacturing process and associated air cleaning devices at their facility in Hazle Township, **Luzerne County**.

**54-308-023: Alcoa Extrusions, Inc.** (53 Pottsville Street, Cressona, PA 17929) on September 18, 2006, to construct a billet furnace at their facility in Cressona Borough, **Schuylkill County**.

**40-399-058: Ohio Mattress Co.—Licensing and Components Group, Inc.** (Magic Industrial Park, Delano, PA 18220) on September 26, 2006, to construct three latex foam production lines and one (1) flexible foam line at their facility in Wright Township, **Luzerne County**.

**66-318-004: Procter and Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) on September 18, 2006, to construct glue application stations to five existing paper machines at their facility in Washington Township, **Wyoming County**.

**66-399-005: Procter & Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) on September 18, 2006, to install glue containment boxes to three existing paper machines at their facility in Washington Township, **Wyoming County**.

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

**06-05029C: Reading Truck Body, Inc.** (P. O. Box 650, Reading, PA 19607-0650) on October 4, 2006, to modify the Standard E-Coating Line and Oven and the entire facility in the City of Reading, **Berks County**.

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

**60-00001A: Bucknell University—Facilities Department** (Moore Avenue, Lewisburg, PA 17837) on September 19, 2006, to replace a combustion core in a natural gas/No. 2 fuel oil-fired turbine in East Buffalo Township, **Union County**.

**41-00010F: Andritz, Inc.** (35 Sherman Street, Muncy, PA 17756) on September 20, 2006, to construct a metal parts shot blasting system and an arc welding station and the installation of an air cleaning device (an existing fabric collector) on four existing metal parts grinding stations, four existing plasma cutting/welding stations, the proposed new shot blasting system and the proposed new arc welding station in Muncy Borough and Muncy Creek Township, **Lycoming County**.

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

**43-270E: CCL Container** (One Llodio Drive, Hermitage, PA 16148-9015) on September 22, 2006, to remove SOx testing requirement and add temporary total enclosures testing for control efficiency on Can Line No. 8 established in plan approval 43-270B in Hermitage City, **Mercer County**. This is a Title V facility.

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

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

**06-03113B: Haines and Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474) on August 28, 2006, to construct additional nonmetallic mineral crushing equipment controlled by a wet suppression system and two fabric collectors in Robeson Township, **Berks County**. This plan approval was extended.

**36-03080A: Rohrer's Quarry** (P. O. Box 365, 70 Lititz Road, Lititz, PA 17543) on September 30, 2006, to replace two 6-foot by 16-foot Hewitt Robins triple-deck screens with two 6-foot by 20-foot Metso Minerals triple-deck screens in Warwick Township, **Lancaster County**. This plan approval was extended.

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

**11-00515A: J-LOK Corp.** (258 Kappa Drive, PA 15238) on October 03, 2006, to allow the applicant time to complete and submit a State-only Operating Permit application at the Mine Bolt Resin Capsule Manufacturing Facility located in Cresson Township, **Cambria 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.*

**10-027E: Penreco** (138 Petrolia Street Karns City, PA 16041) on September 30, 2006, to construct a new gas/oil fired boiler rated at 91 mmBtu/hr to replace the existing coal fired boiler in Karns City Boro, **Butler County**. The new boiler is subject to the New Source Performance Standards for boilers greater than 10 mmBtu and less than 100 mmBtu. The facility is a Title V Facility.

**24-083D: Carbone of America—Graphite Materials Div.** (1032 Trout Run Road, St. Marys, PA 15857) on October 31, 2006, to construct a CBH Kiln in Benzinger Township, **Elk County**.

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

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

**67-05042: Hanover Foods Corp.** (P. O. Box 334, 1550 York Street, Hanover, PA 17331) on October 6, 2006, to operate a vegetable canning facility in Penn Township, **York County**. This operating permit was administratively amended to incorporate the changes that have been made to 40 CFR Part 60 Subpart Dc.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Muhammad Zaman, Facilities Permitting Chief, (570) 327-3637.*

**18-00005: Dominion Transmission, Inc.** (625 Liberty Avenue, Pittsburgh, PA 15222) on September 19, 2006, to operate a natural gas compressor station (Finnecroff Compressor Station) in Leidy Township, **Clinton County**. This is a renewal.

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

**67-05064: York Building Products Co., Inc.** (P. O. Box 1708, York, PA 17405-1708) on October 5, 2006, to operate their asphalt plant in Spring Garden Township, **York County**. This is a renewal of the State-only operating permit.

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

**41-00051: Wirerope Works, Inc.** (100 Maynard Street, Williamsport, PA 17701) on September 5, 2006, to operate a wire rope manufacturing facility in the City of Williamsport, **Lycoming County**.

**17-00020: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on September 5, 2006, to operate an asphalt paving material production facility (Plant No. 4) in Sandy Township, **Clearfield County**.

**49-00025: Coal Township State Correctional Institution** (One Kelley Drive, Coal Township, PA 17866) on September 5, 2006, to operate a prison in Coal Township, **Northumberland County**.

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

**32-00227: Electro Mec, Inc.** (4470 Lucerne Road, Indiana, PA 15701) on September 27, 2006. The facility's major sources of emissions at this sandstone processing plant include a paint booth, a sandblasting unit, a curing oven, two drying ovens and two burn-off ovens in White Township, **Indiana County**.

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

**37-00234: Praxair, Inc.—Praxair Surface Technologies, Inc.—New Castle Plant** (3225 Honeybee Lane, New Castle, PA 16510-6502) on October 2, 2006, to reissue a Natural Minor Operating Permit Number to operate a metal coating operation in Wilmington Township, **Lawrence County**.

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

**N06-003: Delaware Valley Recycling, Inc.** (3107 South 61st Street, Philadelphia, PA 19153) on October 3, 2006, for the processes and recycles construction/demolition waste materials in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include equipment such as crushers and screens for construction/demolition waste materials processing and recycling.

**N06-002: SJA Construction Inc.** (3600 26th Street, Philadelphia, PA 19145) on October 3, 2006, to operate a concrete plant facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes two cement bins, a mixer and baghouse.

**S04-014: Kraft Foods Global, Inc.** (12000 East Roosevelt Blvd. Philadelphia, PA 19116) on October 5, 2006, to operate a baking facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes two 38.0 mmBtu/hr boilers, six nonyeast baking ovens, two yeast-baking ovens controlled by a catalytic oxidizer and material handling with a central vacuuming system, particulate controls and baghouse.

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

**49-00007: Merck and Co., Inc.** (P. O. Box 600, Danville, PA 17821) on September 29, 2006, to amend certain conditions of the wastewater treatment plant and the antibiotic campaign operations to reflect consistency between the operating permit and the submitted Notification of Compliance Status Reports required by the Pharmaceutical MACT Rule (40 CFR Part 63, Subpart GGG) in Riverside Borough, **Northumberland County**. The modified Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**55-00022: Schreck's Custom Trim Finishing, Inc.** (P. O. Box 6, Mt. Pleasant Mills, PA 17853) on October 5, 2006, to transfer an operating permit for a modular/mobile home wooden parts surface coating facility from Schreck's Painting to Schreck's Custom Trim Finishing, Inc. in Perry Township, **Snyder County**.



## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### *Coal Permits Actions*

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

**30743705 and NPDES Permit No. PA0214752. Dana Mining Company of PA, Inc.** (P. O. Box 1170, Morgantown, WV 26507). To renew the permit for the Mundell Hollow Refuse Disposal Area in Dunkard Township, **Greene County** and related NPDES Permit. No additional discharges. Application received: April 20, 2006. Permit issued: October 5, 2006.

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

**32010101 and NPDES No. PA0248916. Millwood Development, Inc.** (1293 Route 217, Derry, PA 15627). Transfer/renewal of an existing bituminous surface mine from Opal Industries, Inc., P. O. Box 980, Latrobe, PA 15650, located in Conemaugh Township, **Indiana County**, affecting 77.0 acres. Receiving streams: UNT to Kiskiminetas River and UNT to Blacklegs Creek classified for the following uses: WWF; CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 14, 2006. Permit issued: October 2, 2006.

**32010106 and NPDES No. PA0248983. Walter L. Houser Coal Company, Inc.** (13448 State Route 422, Suite 1, Kittanning, PA 16201). Permit renewal for reclamation only of a bituminous surface-auger mine in Washington Township, **Indiana County**, affecting 63.2 acres. Receiving streams: UNTs of South Branch Plum Creek and South Branch Plum Creek to Plum Creek to Crooked Creek to the Allegheny River classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 11, 2006. Permit issued: October 4, 2006.

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

**02-04-03 and NPDES Permit No. PA0250686. Coventry Park, LLC** (533 Locust Place, Sewickley, PA 15143-1547). Government Financed Construction Contract issued for reclamation of approximately 40.9 acres of abandoned mine lands located in Robinson Township, **Allegheny County**. Receiving streams: Moon Run to the Ohio River. Application received: July 13, 2006. Contract issued: October 5, 2006.

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

**59060101 and NPDES Permit No. PA0256315. Phoenix Resources, Inc.** (782 Antrim Road, Wellsboro, PA 16901). Commencement, operation and restoration of a bituminous surface mine, with proposed post-mining land use which will be a sanitary landfill, in Duncan Township, **Tioga County**, affecting 76.5 acres. Receiving streams: Rock Run to Babb Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 13, 2006. Permit issued: September 29, 2006.

**17040106 and NPDES Permit No. PA0243809. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine in Chest Township, **Clearfield County**, affecting 50.0 acres. Receiving streams: Chest Creek, classified for the following use: CWF. Application received: July 30, 2004. Application returned: August 3, 2006.

**Permit No. 17850143 and NPDES No. PA0596663. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849). Permit renewal for the continued operation and restoration of a bituminous surface mine in Lawrence Township, **Clearfield County**, affecting 150.7 acres. Receiving streams: Wolf Run to West Branch Susquehanna River, classified for the following uses: CWF to WWF. There are no potable water supply intakes within 10 miles downstream. Application received: July 31, 2006. Permit renewed: August 13, 2006.

### *Coal Mining Permits Denied*

*California District Office: 25 Technology Drive, Coal Center, PA 15423.*

**56890703 and NPDES Permit No. PA0214141. Svonavec, Inc.** (150 West Union Street, Suite 201, Somerset, PA 15501), to renew the permit for the Milford No. 3 coal Refuse Disposal in Milford Township, **Somerset County** and related NPDES permit. No additional discharges. Application received August 2, 2004. Permit denied October 3, 2006.

### *Noncoal Permits Actions*

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

**20022805. R. Hunter, Incorporated** (29780 Hickory Corners Road, Guys Mills, PA 16327). Final bond release for a small noncoal mining operation in Woodcock Township, **Crawford County**. Restoration of 1.0 acre completed. Receiving streams: UNT to French Creek. Application received: June 13, 2006. Final bond release approved: September 28, 2006.

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

**64050805. Daniel W. Barnes**, (192 Criddle Road, Susquehanna, PA 18847). Commencement, operation and restoration of a quarry operation in Scott Township, **Wayne County** affecting 5.0 acres, receiving stream: none. Application received: November 2, 2005. Permit issued: October 2, 2006.

**58052810. Powers Stone, Inc.** (R. D. 5, Box 124, Montrose, PA 18801). Commencement, operation and restoration of a quarry operation in Forest Lake, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: September 19, 2005. Permit issued: October 2, 2006.

**58062802. Powers Stone, Inc.** (R. D. 5, Box 124, Montrose, PA 18801). Commencement, operation and restoration of a quarry operation in Silver Lake Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: March 23, 2006. Permit issued: October 2, 2006.

**58062803. Powers Stone, Inc.** (R. D. 5, Box 124, Montrose, PA 18801). Commencement, operation and restoration of a quarry operation in Jessup Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: March 23, 2006. Permit issued: October 2, 2006.

**58062806. Powers Stone, Inc.** (R. D. 5, Box 124, 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: April 24, 2006. Permit issued: October 2, 2006.

**58060845. Jeffrey C. Bennett** (P. O. Box 442, New Milford, PA 18834). Commencement, operation and restoration of a quarry operation in Gibson Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: June 7, 2006. Permit issued: October 3, 2006.

**58060848. Aldrich Farm, Inc.** (R. R. 1, Box 192, Montrose, PA 18801). Commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: June 19, 2006. Permit issued: October 3, 2006.

**58062808. Meshoppen Stone, Inc.** (P. O. Box 127, Meshoppen, PA 18630). Commencement, operation and restoration in Forest Lake Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: July 12, 2006. Permit issued: October 3, 2006.

**58060854. Tammy Lynn Norton** (R. R. 2, Box 135 C, New Milford, PA 18834). Commencement, operation and restoration in Harford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received July 14, 2006. Permit issued October 3, 2006.

**52052801. Wayne D. Holbert** (115 Rocky Rift Farm Road, Lackawaxen, PA 18435). Commencement, operation and restoration of a quarry operation in Lackawaxen Township, **Pike County** affecting 5.0 acres, receiving stream: none. Application received: October 21, 2005. Permit issued: October 3, 2006.

**52052802. Wayne D. Holbert** (115 Rocky Rift Farm Road, Lackawaxen, PA 18435). Commencement, operation and restoration of a quarry operation in Lackawaxen Township, **Pike County** affecting 5.0 acres, receiving stream: none. Application received: November 7, 2005. Permit issued: October 3, 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.**

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

**28064173. Newville Construction Services, Inc.** (408 Mohawk Road, Newville, PA 17241-9424). Blasting activity permit issued for utility in Greene Township, **Franklin County**. Blasting activity permit end date is August 30, 2007. Permit issued: October 2, 2006.

**21064184. Newville Construction Services, Inc.** (408 Mohawk Road, Newville, PA 157241-9424). Blasting activity permit issued for single dwelling in West Pennsboro Township, **Cumberland County**. Blasting activity permit end date is August 30, 2007. Permit issued: October 2, 2006.

**1064121. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033-9734). Blasting activity permit issued for residential development in Reading Township, **Adams County**. Blasting activity permit end date is September 30, 2007. Permit issued: October 2, 2006.

**21064183. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033-9734). Blasting activity permit issued for residential development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is September 30, 2007. Permit issued: October 2, 2006.

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

**25064004. Appalachian Geophysical Services, LLC** (2659 Star Route 60, P. O. Box 426, Killbuck, OH 44637-0426). Blasting activity for gas and oil exploration in Franklin Township, **Erie County**. This blasting activity permit will expire on December 31, 2006. Application received: October 4, 2006. Application issued: October 5, 2006.

**25064005. Appalachian Geophysical Services, LLC** (2659 Star Route 60, P. O. Box 426, Killbuck, OH 44637-0426). Blasting activity for gas and oil exploration in Conneaut Township, **Erie County**. This blasting activity permit will expire on December 31, 2006. Application received: October 4, 2006. Application issued: October 5, 2006.

**20064007. Appalachian Geophysical Services, LLC** (2659 Star Route 60, P. O. Box 426, Killbuck, OH 44637-0426). Blasting activity for gas and oil exploration in Beaver Township, **Crawford County**. This blasting activity permit will expire on December 31, 2006. Application received: October 4, 2006. Application issued: October 5, 2006.

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

**36064195. Brubacher Excavating, Inc.** (P. O. Box 528, Bowmansville, PA 17507). Construction blasting for Lancaster Mennonite School in Lancaster Township, **Lancaster County** with an expiration date of December 31, 2007. Permit issued: September 29, 2006.

**01064121. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033). Construction blasting for Hampton Heights in Reading Township, **Adams County** with an expiration date of September 30, 2007. Permit issued: October 2, 2006.

**40064133. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431). Construction blasting for Ramblewood Estates in Dennison Township, **Luzerne County** with an expiration date of September 26, 2007. Permit issued: October 2, 2006.

**66064105. Hayduk Enterprises, Inc.** (257 Riverside Drive, Factoryville, PA 18419). Construction blasting for a home in Clinton Township, **Wyoming County** with an expiration date of December 31, 2006. Permit issued: October 2, 2006.

**67064135. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033). Construction blasting for Stone Hill Development in York Township, **York County** with an expiration date of September 30, 2007. Permit issued: October 2, 2006.

**39064116. Brubacher Excavating, Inc.** (P. O. Box 528, Bowmansville, PA 17507). construction blasting for Boulder D-2 Project in Upper Macungie Township, **Lehigh County** with an expiration date of December 31, 2007. Permit issued: October 4, 2006.

**39064117. Hayduk Enterprises, Inc.** (257 Riverside Drive, Factoryville, PA 18419). Construction blasting for residential development in North Whitehall Township, **Lehigh County** with an expiration date of December 31, 2006. Permit issued: October 4, 2006.

**39064118. Schlouch, Inc.** (P. O. Box 69, Blandon, PA 19510). Construction blasting for a residential development in Upper Saucon Township, **Lehigh County** with an expiration date of October 9, 2007. Permit issued: October 4, 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

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

**E09-902. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, Lower Makefield Township, Bucks County, ACOE Philadelphia District.**

To maintain the following activities associated with the reconstruction of the northbound I-95 ramps at the PA 332 interchange (Exit 49). The reconstruction activities include the provision of a new northbound off-ramp, two new northbound on-ramps from PA 332, and a new signalized intersection on PA 332 within the Buck Creek watershed (WWF). This site is located on the Langhorne, PA, USGS Quadrangle N: 20.0 inches and W: 1.0 inch, in Lower Makefield Township, Bucks County.

The work will include the following water obstruction and encroachment activities:

1. To authorize and maintain a stormwater management facility and a 30-inch diameter outfall discharging to a drainage channel to Buck Creek.
2. To authorize and maintain approximately 130 linear feet of 30-inch diameter stream enclosure to carry the drainage channel to Buck Creek under the I-95 northbound off-ramp.
3. To authorize realignment of the drainage channel to Buck Creek upon its exit of the above stream enclosure by redirecting flow into a new channel, and back to its original channel.
4. To authorize fill in two conveyance ditches distributing storm runoff flows to the drainage channel, eliminating a 55-foot long ephemeral ditch to the south of the channel, a 230-foot long ephemeral ditch to the north of the channel, and 0.04 acre of wetland (PEM), which formed within the ephemeral ditch to the north of the channel.
5. To realign and maintain approximately 350 linear feet of fill in a drainage channel connecting to a UNT to Buck Creek to the north of PA 332. The new ditch is constructed slightly to the east of the original ditch.

The amount of wetland impact is considered a de minimus impact of 0.04 acre and wetland mitigation is not required.

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E46-991. Worcester Township**, 1721 Valley Forge Road, P. O. Box 767, Worcester, PA 19490, Worcester Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a new pedestrian bridge across Zacharias Creek (TSF). The proposed bridge is 60 feet long by 6 feet wide and is part of the overall trail system through open space located within the 100-year flood plain. The site is located about 1,000 feet southeast of intersection of Skippack Pike and Green Hill Road (Lansdale, PA, USGS Quadrangle N: 14.5 inches, W: 15.7 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E15-743. Pulte Homes of PA Limited Partnership**, 1101 Northbrook Drive, Suite 2000, Trevoise, PA 19053, Charlestown Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain the following water obstructions associated with the proposed Deerfield Subdivision:

1. To relocate and enclose approximately 340 linear feet of an intermittent headwater tributary to Pigeon Creek (HQ-TSF) along Valley Hill Road (SR 1021). The watercourse will be directed to Inlet R2 along Valley Hill Road (SR 1021). Low flow will be routed in a 336-foot long 18-inch pipe to Inlets N2 and N3. Higher flows will be routed into Stormwater Basin 1. The enclosure and the basin will discharge to the watercourse via the Valley Hill Road culvert at Inlet N1.

2. To construct and maintain an on-stream non-jurisdictional dam as a stormwater management facility (Stormwater Basin 1).

3. To construct 28 linear feet of 19" by 30" oval culvert as a replacement structure for the existing culvert under Valley Hill Road (SR 1021).

4. To regrade and stabilize approximately 255 feet of an existing "grass waterway" for use as a stormwater swale.

This permit includes an Environmental Assessment approval for Item 2. The site is located on southwest corner of the intersection of the Valley Hill and Yellow Spring Roads (Malvern, PA, USGS Quadrangle N: 12.75 inches; W: 10.75 inches) in Charlestown Township, Chester County.

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

**E14-488. Curtin Township Supervisors**, 351 Orviston Mountain Road, Howard, PA 16841. Marsh Creek Culvert in Curtin Township, **Centre County**, ACOE Baltimore District (Howard, PA Quadrangle N: 8 inches; W: 14.2 inches).

To operate and maintain a twin cell culvert crossing in Marsh Creek (CWF). The crossing was installed under Emergency Permit (EP1405503) during the summer of 2005. Obtaining the Joint Permit authorization was a final action of the Emergency Permit. This crossing consists of two 72" by 96" corrugated culvert pipes placed side by side with rock headwalls. The project impacted

700 square feet of Marsh Creek and is located just off Summit Hill Road on Yeager Road. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E14-493. Allen Sherman**, PO Box 432, Blanchard, PA 16826. Country Woodcrafts, in Liberty Township, **Centre County**, ACOE Baltimore District (Howard, PA Quadrangle N: 6 inches; W: 3.5 inches).

To construct and maintain two elevated structures in the floodway of Marsh Creek, located on Marsh Creek Road, 2 miles northwest of the intersection with SR 150. The structures will each be approximately 600 square feet and located within 50 feet of the top of the creek bank of Marsh Creek. This project proposes no permanent impact to Marsh Creek, which is designated a CWF stream and does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E17-423. Clearfield County**, 203 East Market Street, Clearfield, PA 16830. Burnside Township Road No. 315 (T-315) Bridge Replacement across West Branch Susquehanna River in Burnside Township, **Clearfield County**, ACOE Baltimore District (Burnside, PA Quadrangle N: 7.9 inches; W: 3.2 inches).

To remove an existing structure and construct, operate and maintain a two-span prestressed spread box beam bridge to carry T-315 over West Branch Susquehanna River (WWF). The two-span bridge shall be constructed with a minimum clear span of 170 feet along the roadway centerline, and an underclearance of 14.1 feet. Construction of in-stream bridge appurtenances and temporary structures shall be conducted during stream low flow, and dry work conditions by dams and pumping, fluming or diverting stream flow around work areas. The bridge replacement project will permanently impact 0.05 acre of wetlands and 110 feet of stream channel that is located at the western right-of-way of SR 0219, at the intersection of T-315 and SR 0219. This permit also authorizes construction, operation, maintenance and removal of temporary cofferdams, stream diversions and roadway crossings. All temporary structures shall be constructed of clean rock, which is free of fines. Upon project completion, all temporary structures shall be removed with the disturbed areas restored to original contours and elevations. The Department deems the 0.05 acre of wetland permanently impacted by the project as de minimis, and as such, the permittee shall not be required to construct replacement wetland to mitigate the permanent impact.

**E55-208. Jackson Township Supervisors**, R. R. 1 Box 324A, Winfield, PA 17889. Tuscarora Creek Bridge Replacement, in Jackson Township, **Snyder County**, ACOE Baltimore District (Middleburg, PA Quadrangle N: 21.4 inches; W: 0.9 inch).

To remove the existing open grate steel deck bridge structure in its entirety, and to construct, operate and maintain a 63 foot precast reinforced concrete box culvert with a 1 foot depression. This permit also authorizes the realignment of 65 linear feet of stream channel to facilitate a better transition into the structure. There are no wetland impacts authorized under this permit and the temporary and permanent stream disturbances will total 130 feet of Tuscarora Creek which holds a water quality classification of CWF. This permit also includes 401 Water Quality Certification.

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

**E16-128, Salem Township**, P. O. box 70, 50 Community Rd., Suite 2, Lamartine, PA 16375. T-336 Bittersweet Road Across Beaver Creek, in Salem Township, **Clarion County**, ACOE Pittsburgh District (Knox, PA Quadrangle N: 41°, 14', 49"; W: 79°, 34', 43").

To remove the existing bridge and to install and maintain a 12.098 meter long precast reinforced concrete box culvert having a 6.706 meter wide by 1.834 meter high waterway opening in Beaver Creek (HQ-CWF) on T-336, Bittersweet Road, approximately 1.6 kilometers north of SR 208.

**E16-131, Farmington Township**, P. O. Box 148, 32691 Route 66, Leeper, PA 16233. Public Water and Sewer Extension Project, in Farmington Township, **Clarion County**, ACOE Pittsburgh District (Between Lucinda, PA Quadrangle N: 41°, 20', 22.4"; W: 79°, 21', 5" and Tylersburg, PA Quadrangle N: 41°, 23', 23"; W: 79°, 15', 47").

To construct and maintain a total of approximately 33,000 linear feet of extensions to existing sanitary sewer and potable water lines including seven stream crossings (Toby Creek (CWF), Foy Run (CWF), a tributary to Toby Creek (CWF) and a tributary to Grolemond Run (CWF)) and three wetland crossings by sewer and water lines in the area along SR 66 between the villages of Snydersburg and Crown.

**E20-548, Donald W. Heffernan & Margaret R. Heffernan**, 431 Gilfillian Street, Franklin, PA 16323-2929. Retaining Wall, in Summit Township, **Crawford County**, ACOE Pittsburgh District (Harmonsburg, PA Quadrangle N: 2.0 inches; W: 7.1 inches).

The applicant proposes to construct and maintain a 6-foot high, 2.1-foot thick retaining wall having a length of 80 feet, adjacent to Conneaut Lake and constructed a maximum distance of 3 feet in front of the existing retaining wall approximately 1 mile SE of the intersection of SR 18 and SR 618. Conneaut Lake is a perennial body of water classified as a high quality WWF.

**E42-323, Minard Run Oil Company**, P. O. Box 18, 609 South Avenue, Bradford, PA 16701. Kushequa Pipeline, in Hamlin Township, **McKean County**, ACOE Pittsburgh District (Cyclone, PA Quadrangle N: 41°, 45', 23.5"; W: 78°, 36', 18.27").

To install by directional boring and maintain a 6-inch natural gas gathering pipeline within a 10-inch diameter casing across Kinzua Creek and an adjacent 320-foot wide wetland approximately 0.5 mile northeast of the Village of Kushequa.

**61-268, United Refining Company of Pennsylvania**, P. O. Box 688, Warren, PA 16365. Kwik Fill/Red Apple Food Mart M29 Stream Enclosure, in Sandycreek Township, **Venango County**, ACOE Pittsburgh District (Franklin, PA Quadrangle N: 2.1 inches; W: 13.3 inches).

The applicant proposes to remove the existing structure and to construct and maintain a 258-foot long, 5.5-foot diameter reinforced concrete pipe stream enclosure in Chubb Run at the Kwik Fill/Red Apple Food Mart M29 approximately 0.15 mile NE of the intersection of SR 8 and SR 62. Project includes construction and maintenance of a trash rack, an approximately 60-foot long berm at the upstream end of the Kwik Fill Station, and an approximately 35-foot long hook type energy dissipator. Chubb Run is a perennial stream classified as a WWF. The project proposes to directly affect approximately 350 linear feet of stream.

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## SPECIAL NOTICES

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### Requests for Proposals

**Bid No. OSM PA(AMD-06)**. Notice is given that the Department of Environmental Protection is soliciting proposals for demonstration or implementation of new or innovative in-situ or ex-situ treatment or abatement technologies or enhanced metals recovery for acid mine drainage. Requests for Proposal (RFPs) may be requested by mail, fax or e-mail. Letters shall be sent to David J. Fromell, Project Coordinator, Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Division of Acid Mine Drainage Abatement, P. O. Box 8476, Harrisburg, PA 17105-8476. Faxed requests will be accepted at (717) 783-0470. Email requests (entitle subject line "OSM PA(AMD-06) RFP request") should be submitted to dfromell@state.pa.us Proposals in response to the RFP must be received by 2 p.m., December 8, 2006. Electronic versions of the RFP are available upon request.

**Bid No. OSM PA(DES-06)**. Notice is given that the Department of Environmental Protection is issuing a Request for Proposal (RFP) to retain up to five firms to provide professional design services, feasibility studies and other technical services as required for the reclamation of abandoned mine lands including surface mine reclamation, surface and underground mine fires, mine subsidence control, closure of mine openings, abatement or treatment of acid mine drainage (AMD) water pollution, evaluation and/or rehabilitation of existing passive and active AMD treatment systems and water supply replacement. The contracts will be financed in part by the Federal Government. The projects will be located in the bituminous coalfields of western and the anthracite coalfields of northeastern Pennsylvania. RFPs may be requested by mail, fax or e-mail. Letters shall be sent to David J. Fromell, Project Coordinator, Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Division of Acid Mine Drainage Abatement, P. O. Box 8476, Harrisburg, PA 17105-8476. Faxed requests will be accepted at (717) 783-0470. Email requests (entitle subject line "OSM PA(DES-06) RFP request") should be submitted to dfromell@state.pa.us Proposals in response to the RFP must be received by 2 p.m., November 28, 2006. Electronic versions of the RFP are available upon request.

[Pa.B. Doc. No. 06-2065. Filed for public inspection October 20, 2006, 9:00 a.m.]

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## DEPARTMENT OF HEALTH

### Metabolic Screening Technical Advisory Committee Meeting

The Newborn Screening and Follow-Up Program, established under the Newborn Child Testing Act (35 P. S. §§ 621—625), will hold a public meeting on Wednesday, November 15, 2006, 10 a.m. to 3:30 p.m. at The National Civil War Museum, Pennsylvania Room, 2nd Floor, 1 Lincoln Circle, Reservoir Park, Harrisburg, PA.

For additional information, contact Suzanne Bellotti, Public Health Program Administrator, Division of Newborn Disease Prevention and Identification at (717) 783-8143. R.S.V.P. by November 1, 2006, to Louise Banks at (717) 783-8143.

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

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

[Pa.B. Doc. No. 06-2066. Filed for public inspection October 20, 2006, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Joseph F. Mariani Contractors, Inc., Mariani Excavating, Inc. and Joseph Mariani, Individually	10 Mount Pleasant Drive Aston, PA 19014	6/27/2006

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 06-2067. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Steve Meckley, Individually	936 Church Road York, PA 17404	10/6/2006

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 06-2068. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Preferred Painting and Joseph Dougherty, Individually	55 Millrace Drive Langhorne, PA 19053	10/6/2006

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 06-2069. Filed for public inspection October 20, 2006, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Inpatient Hospitals Qualifying for Medical Assistance Disproportionate Share Payments

On July 1, 1988, the Department of Public Welfare (Department) implemented a disproportionate share payment system. Under 55 Pa. Code §§ 1151.54(i), 1163.67(k) and 1163.459(j) (relating to disproportionate share payments), the Department is required to annually publish the names of each inpatient acute care general hospital, rehabilitation hospital and private psychiatric hospital qualifying for a disproportionate share payment and their respective disproportionate share payment percentage.

#### A. *Disproportionate Share for Acute Care General Hospitals, Rehabilitation Hospitals and Private Psychiatric Hospitals.*

The following lists identify the inpatient acute care general hospitals, psychiatric units and rehabilitation units of acute care general hospitals, rehabilitation hospitals and private psychiatric hospitals eligible for disproportionate share payments for the period July 1, 2005, through June 30, 2006, and their respective payment percentages. For all inpatient facilities, disproportionate share payments are calculated as a percentage of projected MA inpatient income.

Payment period July 1, 2005, to June 30, 2006, disproportionate share payment percentages:

<i>Acute Care General Hospitals</i>	
ALBERT EINSTEIN MED CTR	4.45%
ALFRED I. DUPONT INSTITUTE	9.41%
BARNES KASSON HOSPITAL	4.59%
CHARLES COLE MEMORIAL HOSPITAL	4.83%
CHILDREN'S HOSPITAL OF PHILADELPHIA	8.47%
CHILDREN'S HOSPITAL OF PITTSBURGH	9.27%
CLEARFIELD HOSPITAL	4.78%
CROZER CHESTER MEDICAL CENTER	3.33%
DUBOIS REGIONAL MED CTR	10.00%
HIGHLAND HOSPITAL	3.08%
HOSPITAL UNIVERSITY OF PA	3.76%

INDIANA HOSPITAL	3.45%
JAMESON MEMORIAL	1.00%
KENSINGTON HOSPITAL	4.66%
MAGEE WOMEN'S	6.23%
MEMORIAL HOSPITAL—TOWANDA	5.46%
MERCY HOSP OF PHILA	4.75%
MONSOUR MEDICAL CENTER	6.04%
NPHS—GIRARD	1.00%
NPHS—ST. JOSEPH'S	7.44%
PRESBYTERIAN MED CTR OF UPHS	2.96%
PUNXSUTAWNEY AREA HOSPITAL	4.04%
TEMPLE EAST	3.99%
TEMPLE UNIVERSITY CHILDREN'S MEDICAL CTR	15.00%
TEMPLE UNIVERSITY HOSPITAL	6.29%
THS—HAHNEMANN UNIV HOSPITAL	3.58%
THS—ST. CHRISTOPHER'S	14.00%
THOMAS JEFFERSON	3.00%
TITUSVILLE AREA HOSP	4.81%
UPMC—BEDFORD	9.00%
UPMC—PRESBYTERIAN—SHADYSIDE	3.66%
VALLEY FORGE	6.05%
WAYNE COUNTY MEMORIAL	5.54%
WEST VIRGINIA UNIV HOSPITALS, INC.	5.48%

*Private Psychiatric Hospitals*

BELMONT CENTER	3.92%
BROOKE GLEN BEHAVIORAL HEALTH	6.51%
CLARION PSYCHIATRIC CENTER	6.33%
DEVEREAUX—MAPLETON PSYCH CTR	10.00%
FAIRMOUNT BHS	3.00%
FIRST HOSPITAL WYOMING VALLEY	5.60%
FOUNDATIONS BEHAVIORAL HEALTH	7.49%
FRIENDS HOSPITAL	2.60%
HORSHAM PSYCHIATRIC HOSPITAL	4.59%
KIDSPACE HOSPITAL	9.00%
MEADOWS PSYCHIATRIC CENTER	7.44%
MONTGOMERY COUNTY MH/MR ER SVS	4.85%
PHILHAVEN	5.60%
SOUTHWOOD PSYCHIATRIC HOSPITAL	7.25%

*Psychiatric Units of Acute Care Hospitals*

ALBERT EINSTEIN	2.97%
DIVINE PROVIDENCE—WILLIAMSPORT	3.83%
DUBOIS REGIONAL MEDICAL CENTER	3.02%
HIGHLAND HOSPITAL	2.19%
INDIANA HOSPITAL	2.03%
JAMESON MEMORIAL	1.65%
MERCY HOSP OF PHILADELPHIA	3.14%
MONSOUR MEDICAL CENTER	3.88%
NPHS—GIRARD	1.00%
PRESBYTERIAN MED CNTR OF UPHS	2.12%
TEMPLE UNIVERSITY HOSP	4.02%
THS—HAHNEMANN UNIV HOSP	2.47%

*Drug and Alcohol Units of Acute Care Hospitals*

NPHS—ST JOSEPH'S	9.00%
PRESBYTERIAN MED CNTR OF UPHS	2.24%
VALLEY FORGE	6.91%

*Private Drug and Alcohol Hospitals*

EAGLEVILLE HOSPITAL	3.57%
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*Medical Rehab Units of Acute Care Hospitals*

ALBERT EINSTEIN	4.50%
DUBOIS REGIONAL MEDICAL CENTER	4.63%
JAMESON MEMORIAL	1.00%
TEMPLE UNIVERSITY HOSP	7.26%

*Freestanding Rehab Hospitals*

CHILDRENS INSTITUTE OF PITTSBURGH	6.75%
CHILDRENS SEASHORE HOUSE	10.00%

*B. Additional Disproportionate Share Payments*

Additional disproportionate share payments are made to inpatient facilities, with a Medicaid inpatient utilization rate of not less than 1%, which have provided services to persons who have been determined to be low income by meeting the income and resource standards for the State's General Assistance Program.

The payment adjustments are paid directly proportional to the payment received for either general assistance recipients for all hospital services or Title XIX recipients, 21 years of age or older but under 65 years of age, for services rendered by institutions for mental diseases under the fee-for-service and capitation programs.

The following hospitals are eligible for this payment adjustment:

*Acute Care General Hospitals*

ABINGTON MEMORIAL HOSPITAL
ALBERT EINSTEIN MED CTR
ALFRED I. DUPONT INSTITUTE
ALIQUIPPA COMMUNITY HOSP
ALLEGHENY GENERAL HOSPITAL
ALLEGHENY KISKI
ALTOONA HOSPITAL
AMERICAN ONCOLOGIC
ARMSTRONG COUNTY MEMORIAL
SAINT CATHERINE HOSPITAL OF PENNSYLVANIA (formerly Ashland Regional)
BARNES KASSON HOSPITAL
BLOOMSBURG HOSPITAL
BRADFORD REGIONAL
BRANDYWINE HOSPITAL
BROOKVILLE HOSPITAL
BROWNSVILLE GENERAL HOSPITAL
BRYN MAWR HOSPITAL
BUCKTAIL MEDICAL CENTER
BUTLER COUNTY MEMORIAL
CANONSBURG GENERAL HOSPITAL
CARLISLE HOSPITAL
CENTRAL MONTGOMERY HOSP
CHAMBERSBURG HOSPITAL
CHARLES COLE MEMORIAL HOSPITAL
CHESTER COUNTY HOSPITAL
CHHS HOSP CO/CHESTNUT HILL HOSPITAL
CHILDREN'S HOSPITAL OF PHILADELPHIA
CHILDREN'S HOSPITAL OF PITTSBURGH
CHS—BERWICK HOSPITAL
CLARION HOSPITAL
CLEARFIELD HOSPITAL
COMMUNITY MED CTR—SCRANTON
CONEMAUGH VALLEY HOSP
CORRY MEMORIAL
CROZER CHESTER MEDICAL CENTER
DELAWARE COUNTY MEMORIAL
DIVINE PROVIDENCE—WILLIAMSPORT
DOYLESTOWN HOSPITAL
DUBOIS REGIONAL MED CTR
EASTON HOSPITAL
ELK REGIONAL
ELLWOOD CITY
ENDLESS MTS. HLTH SYS
EPHRATA COMMUNITY
EVANGELICAL COMMUNITY
FRANKFORD HOSPITAL
FRICK COMMUNITY

FULTON COUNTY MEDICAL CENTER  
 GEISINGER MEDICAL CENTER  
 GEISINGER WYOMING VALLEY  
 GETTYSBURG HOSPITAL  
 GNADEN HUETTEN MEMORIAL  
 GOOD SAMARITAN—LEBANON  
 GOOD SAMARITAN—POTTSVILLE  
 GRAND VIEW HOSPITAL  
 SOUTHWEST REGIONAL MEDICAL CENTER  
 (formerly Greene County Memorial)  
 HAMOT MED CTR  
 HANOVER HOSPITAL  
 HAZLETON GENERAL HOSPITAL  
 HEART OF LANCASTER REGIONAL MEDICAL  
 CENTER  
 HIGHLAND HOSPITAL  
 HOLY REDEEMER  
 HOLY SPIRIT HOSPITAL  
 HOSPITAL OF THE UNIVERSITY OF PENNA  
 INDIANA HOSPITAL  
 JAMESON MEMORIAL HOSPITAL  
 JC BLAIR  
 JEANES HOSPITAL  
 JEFFERSON HOSPITAL  
 JENNERSVILLE REGIONAL HOSP  
 JERSEY SHORE HOSPITAL  
 KANE COMMUNITY  
 KENSINGTON HOSPITAL  
 LANCASTER GENERAL  
 LANCASTER REGIONAL MED CTR  
 LANKENAU HOSPITAL  
 LATROBE AREA  
 LEHIGH VALLEY HOSP—MUHLENBERG  
 LEHIGH VALLEY HOSPITAL  
 LEWISTOWN HOSPITAL  
 LIFECARE HOSPITALS OF PITTSBURGH  
 LOCK HAVEN HOSP  
 M S HERSHEY MEDICAL CENTER  
 MAGEE WOMEN'S  
 MARIAN COMMUNITY  
 MEADVILLE MED CTR  
 MEDICAL CENTER, BEAVER. PA  
 MEMORIAL HOSP—YORK  
 MEMORIAL HOSPITAL—TOWANDA  
 MERCY CATHOLIC FITZGERALD  
 MERCY HOSP—NANTICOKE  
 MERCY HOSP—PGH  
 MERCY HOSP—WILKES-BARRE  
 MERCY HOSP OF PHILA  
 MERCY HOSPITAL—SCRANTON  
 MERCY JEANNETTE HOSPITAL  
 MERCY SUBURBAN—NORRISTOWN  
 MEYERSDALE COMMUNITY HOSPITAL  
 MID VALLEY HOSPITAL  
 MILLCREEK COMMUNITY HOSPITAL  
 MINERS HOSPITAL OF N CAMBRIA  
 MINERS MEMORIAL MEDICAL CENTER  
 MONONGAHELA VALLEY  
 MONSOUR MEDICAL CENTER  
 MONTGOMERY HOSPITAL MED CTR  
 MOSES TAYLOR  
 MT. NITTANY MED CTR  
 MUNCY VALLEY HOSPITAL  
 NASON HOSPITAL  
 NAZARETH HOSPITAL  
 NPHS—GIRARD  
 NPHS—ST. JOSEPH'S  
 OHIO VALLEY GENERAL  
 PALMERTON HOSPITAL  
 PAOLI MEMORIAL HOSPITAL  
 PENN PRESBYTERIAN MEDICAL CENTER OF UPHS  
 PHILIPSBURG AREA HOSPITAL  
 PHOENIXVILLE HOSPITAL OF UPHS  
 PINNACLE HEALTH HOSPITALS  
 POCONO MED CTR  
 POTTSTOWN MEMORIAL  
 POTTSVILLE HOSPITAL  
 PUNXSUTAWNEY AREA HOSPITAL  
 READING HOSPITAL AND MED CTR  
 RIDDLE MEMORIAL HOSPITAL  
 ROBERT PACKER HOSP  
 ROXBOROUGH MEMORIAL  
 SACRED HEART—ALLENTOWN  
 SAINT JOSEPH MED CTR—HAZLETON  
 SEWICKLEY VALLEY HOSPITAL  
 SHAMOKIN AREA COMMUNITY HOSPITAL  
 SHARON REGIONAL HEALTH SYSTEM  
 SOLDIERS AND SAILORS MEMORIAL  
 SOMERSET HOSPITAL  
 ST. CLAIR MEMORIAL  
 ST. JOSEPH MED CTR—READING  
 ST. LUKE'S—BETHLEHEM  
 ST. LUKE'S—QUAKERTOWN  
 ST. MARY'S—LANGHORNE  
 ST. VINCENT HLTH CTR  
 SUNBURY COMMUNITY  
 TEMPLE EAST  
 TEMPLE LOWER BUCKS HOSPITAL  
 TEMPLE UNIVERSITY CHILDREN'S MEDICAL CTR  
 TEMPLE UNIVERSITY HOSPITAL  
 THOMAS JEFFERSON UNIV HOSPITAL  
 THS—GRADUATE HOSPITAL  
 THS—HAHNEMANN UNIV HOSPITAL  
 THS—ST. CHRISTOPHER'S  
 THS—WARMINSTER  
 TITUSVILLE AREA HOSP  
 TROY COMMUNITY  
 TYLER MEMORIAL HOSPITAL  
 TYRONE HOSPITAL  
 UNIONTOWN HOSPITAL  
 UNITED COMMUNITY HOSPITAL  
 UNIVERSITY OF PENNSYLVANIA MEDICAL  
 CENTER—PENNSYLVANIA HOSPITAL  
 UPMC—BEDFORD  
 UPMC—BRADDOCK  
 UPMC—HORIZON  
 UPMC—LEE REGIONAL  
 UPMC—MCKEESPORT  
 UPMC—NORTHWEST MED CTR  
 UPMC—PASSAVANT  
 UPMC—PENNSYLVANIA HOSPITAL  
 UPMC—PRESBYTERIAN—SHADYSIDE UNIV HOSP  
 UPMC—SOUTH SIDE  
 UPMC—ST. MARGARET  
 VALLEY FORGE  
 WARREN GENERAL HOSPITAL  
 WASHINGTON HOSPITAL  
 WAYNE COUNTY MEMORIAL  
 WAYNESBORO HOSPITAL  
 WEST VIRGINIA UNIV HOSPITALS, INC.  
 WESTERN PENNSYLVANIA  
 WESTMORELAND REGIONAL  
 WILLIAMSPORT HOSPITAL & MED CTR  
 WILLS EYE HOSPITAL  
 WINDBER MED CTR  
 WYOMING VALLEY HLTH CARE SYS  
 YORK HOSPITAL  
*Private Drug and Alcohol*  
 EAGLEVILLE HOSPITAL



*Freestanding Rehab Hospitals*

ALLIED SERVICES REHAB HOSPITAL  
 BRYN MAWR REHAB HOSPITAL  
 CHHS REHAB COMPANY  
 CHILDREN'S HOME OF PITTSBURGH  
 CHILDREN'S INSTITUTE  
 CHILDREN'S SEASHORE HOUSE  
 GOOD SHEPHERD REHAB HOSPITAL  
 HEALTH SOUTH HARMARVILLE  
 HEALTH SOUTH LAKE ERIE INSTITUTE REHAB  
 HEALTH SOUTH MECHANICSBURG REHAB  
 HEALTH SOUTH PENN STATE GEISENGER REHAB  
 HOSP  
 HEALTH SOUTH READING REHAB HOSPITAL  
 HEALTH SOUTH REHAB HOSPITAL OF YORK  
 HEALTH SOUTH REHAB OF ALTOONA  
 HEALTH SOUTH REHAB OF NITTANY VALLEY  
 HEALTH SOUTH REHAB OF SEWICKLEY  
 JOHN HEINZ INSTITUTE  
 MAGEE MEMORIAL REHAB HOSPITAL  
 ST. VINCENT  
 THS WARMINSTER

*Private Psychiatric Hospitals*

BELMONT CENTER FOR COMP TREATMENT  
 BROOKE GLEN BEHAVIORAL HOSPITAL  
 CLARION PSYCHIATRIC CENTER  
 DEVEREUX—MAPLETON PSYCH CTR  
 FAIRMOUNT BHS  
 FIRST HOSPITAL  
 FOUNDATIONS BEHAVIORAL HEALTH  
 FRIENDS HOSPITAL  
 HORSHAM CLINIC  
 KIDSPEACE  
 KIRKBRIDE CENTER  
 MEADOWS PSYCHIATRIC CENTER  
 MONTGOMERY COUNTY EMERGENCY SERVICE, INC  
 PHILHAVEN  
 SOUTHWOOD PSYCH HOSPITAL

*Medical Rehab Units of Acute Care Hospitals*

ABINGTON MEMORIAL HOSP  
 ALBERT EINSTEIN  
 ALLEGHENY GENERAL HOSPITAL  
 ALTOONA  
 CARLISLE REGIONAL MEDICAL CENTER  
 CHAMBERSBURG HOSPITAL  
 CHARLES COLE  
 CONEMAUGH VALLEY HOSP  
 CROZER-CHESTER MED CNTR  
 DELAWARE CNTY MEM HOSP  
 DOYLESTOWN HOSPITAL  
 DUBOIS REG MED CNTR  
 EASTON HOSPITAL  
 GEISINGER—WYOMING VALLEY  
 GNADEN HUETTEN MEMORIAL HOSP—MRU  
 GOOD SAMARITAN HOSPITAL—LEBANON  
 HANOVER HOSPITAL  
 HAZELTON GENERAL HOSPITAL MRU  
 HOSP OF THE UNIV OF PA  
 JAMESON MEMORIAL  
 MERCY JEANNETTE HOSP  
 JEFFERSON HEALTH SERVICES  
 LANCASTER GENERAL HOSP  
 LANCASTER REGIONAL MEDICAL CENTER  
 MERCY CATHOLIC—FITZGERALD  
 MERCY HOSPITAL—PITTSBURGH  
 MILTON S. HERSHEY MED CTR  
 MONONGAHELA VALLEY HOSP  
 NAZARETH

OHIO VALLEY  
 PINNACLE HEALTH HOSPITALS  
 POTTSVILLE HOSPITAL  
 READING HOSPITAL  
 SEWICKLEY VALLEY HOSPITAL  
 ST MARY HOSP—LANGHORNE  
 ST VINCENT HEALTH CNTR  
 TEMPLE UNIVERSITY HOSP  
 THOMAS JEFFERSON UNIV HOSP  
 UPMC—HORIZON  
 UPMC—LEE HOSP  
 UPMC—MCKEESPORT  
 UPMC—NORTHWEST MED CTR  
 UPMC—PRESBYTERIAN SHADYSIDE  
 UPMC—SOUTHSIDE  
 UPMC—ST MARGARET  
 WESTMORELAND HOSPITAL  
 WILLIAMSPORT HOSPITAL

*Drug and Alcohol Units of Acute Care Hospitals*

ALQUIPPA COMMUNITY HOSPITAL  
 BUTLER COUNTY MEMORIAL  
 MEADVILLE MED CTR  
 MONSOUR MEDICAL CENTER D & A  
 NPHS—ST JOSEPH'S HOSP  
 PRESBY MED CTR OF UNIV OF PA HLTH SYST  
 VALLEY FORGE

*Psychiatric Units of Acute Care Hospitals*

ABINGTON MEMORIAL  
 ALBERT EINSTEIN  
 ALQUIPPA COMMUNITY HOSPITAL  
 ALLEGHENY GENERAL  
 ALLEGHENY—KISKI MED CTR  
 ALTOONA  
 ARMSTRONG COUNTY MEMORIAL  
 BERWICK HOSP CENTER  
 BLOOMSBURG HOSP  
 BRADFORD  
 BRANDYWINE HOSPITAL  
 BROWNSVILLE  
 BRYN MAWR HOSP  
 BUTLER COUNTY MEMORIAL  
 CHAMBERSBURG HOSPITAL  
 COMMUNITY MEDICAL CENTER  
 CONEMAUGH VALLEY  
 CORRY MEMORIAL  
 CROZER CHESTER  
 DIVINE PROVIDENCE—WMSPT  
 DUBOIS REGIONAL MED CNTR  
 EPHRATA COMMUNITY  
 FRANKFORD HOSP—BUCKS CO CAMPUS  
 GEISINGER MEDICAL CENTER  
 GEISINGER SOUTH WILKES-BARRE  
 (formerly Mercy Hospital—Wilkes-Barre)  
 GNADEN HUETTEN  
 GRANDVIEW  
 HIGHLAND HOSPITAL  
 HOLY SPIRIT  
 HOSP—UNIVERSITY OF PA  
 INDIANA HOSPITAL  
 J C BLAIR  
 JAMESON MEMORIAL HOSP  
 JEFFERSON HEALTH SERV  
 LANCASTER REGIONAL MED CTR  
 LANCASTER GENERAL  
 LATROBE AREA  
 LEHIGH VALLEY HOSPITAL  
 LEWISTOWN  
 MARIAN COMMUNITY HOSPITAL  
 MEADVILLE MED CNTR

MEDICAL CENTER, BEAVER PA., THE  
 MERCY CATHOLIC—FITZGERALD  
 MERCY HOSPITAL OF PHILADELPHIA  
 MERCY HOSPITAL—PGH  
 MERCY SPECIAL CARE HOSPITAL—NANTICOKE  
 MILLCREEK COMMUNITY HOSPITAL  
 MILTON S. HERSHEY MED CTR  
 MONONGAHELA VALLEY  
 MONSOUR MED CNTR  
 MONTGOMERY  
 MOSES TAYLOR  
 MOUNT NITTANY MEDICAL CENTER  
 NPHS—GIRARD  
 PENN PRESBYTERIAN MED CENTER  
 PINNACLE HEALTH HOSPITALS  
 POCONO HOSPITAL  
 POTTSTOWN MEMORIAL MED CTR  
 POTTSVILLE HOSPITAL  
 READING HOSPITAL  
 ROBERT PACKER  
 SACRED HEART HOSP—ALLENTOWN  
 SEWICKLEY VALLEY HOSP  
 SHAMOKIN AREA COMM HOSP  
 SHARON REGIONAL HLTH SYST  
 SOLDIERS AND SAILORS  
 SOMERSET HOSP CNTR FOR HEALTH  
 ST CLAIR MEMORIAL  
 ST JOSEPH MED CTR—READING  
 ST LUKES OF BETHLEHEM  
 ST LUKES—QUAKERTOWN  
 ST VINCENT  
 SUNBURY COMMUNITY  
 TEMPLE UNIVERSITY HOSPITAL  
 TEMPLE—LOWER BUCKS  
 THOMAS JEFFERSON  
 THS—HAHNEMANN UNIV HOSP  
 THS—WARMINSTER HOSPITAL  
 UNIVERSITY OF PENNSYLVANIA MEDICAL  
 CENTER—PENNSYLVANIA  
 UNIV OF PITT MED CTR—BRADDOCK  
 UNIV OF PITT MED CTR—MCKEESPORT  
 UPMC—NORTHWEST MED CTR  
 UPMC PRESBYTERIAN SHADYSIDE  
 WARREN GENERAL  
 WASHINGTON  
 WESTERN PENNSYLVANIA  
 WESTMORELAND  
 YORK HOSPITAL

*C. Additional Class of Disproportionate Share Payments*

Effective March 1, 1998, the Department established a new class of disproportionate share payments to hospitals which render uncompensated care and which the Department has determined are experiencing significant revenue loss as a result of MA program revisions under the act of May 16, 1996 (P. L. 175, No. 35).

Effective January 15, 1999, the Department revised its previously established new class of disproportionate share payments to include a Charity Care component of the Community Access Fund. A disproportionate share payment will be made to qualifying hospitals based on each hospital's percentage of charity care cost to the total charity care costs of all qualifying hospitals. The Department also established a disproportionate share payment for those hospitals which the Department has determined advanced its goal of enhanced access to multiple types of medical care in economically distressed areas of this Commonwealth.

The following hospitals qualify for this payment:

A I DUPONT  
 ABINGTON MEMORIAL  
 ALBERT EINSTEIN  
 ALLEGHENY GENERAL  
 ALLIQUIPPA COMMUNITY  
 BARNES KASSON  
 BRADDOCK MEDICAL CENTER  
 CHARLES COLE MEMORIAL  
 CHILDRENS HOSP OF PHILA  
 CLARION  
 CLEARFIELD  
 CROZER CHESTER MED CTR  
 DOYLESTOWN  
 DUBOIS REGIONAL MED CTR  
 EAGLEVILLE  
 EASTON HOSPITAL  
 EVANGELICAL COMMUNITY  
 FRANKFORD  
 FULTON COUNTY MEDICAL CTR  
 GEISINGER MEDICAL CENTER  
 GRADUATE HOSPITAL  
 HAMOT MEDICAL CENTER  
 HOSP OF THE UNIV OF PA  
 INDIANA HOSPITAL  
 J C BLAIR  
 JAMESON MEMORIAL  
 LANKENAU  
 LEHIGH VALLEY  
 LOCK HAVEN  
 MAGEE WOMENS  
 MEADVILLE MED CTR  
 MEMORIAL HOSP BEDFORD  
 MEMORIAL HOSP TOWANDA  
 MERCY CATHOLIC—FITZGERALD  
 MERCY HOSPITAL OF PHILA  
 MERCY HOSPITAL—PGH  
 MERCY JEANNETTE HOSPITAL  
 MILTON S. HERSHEY MED CTR  
 NORTH PHILA HEALTH SYSTEM  
 NPHS—GIRARD  
 PRESBYT MED CTR OF PHILA  
 PRESBYT UNIV HOSPITAL—PGH  
 PUNXSUTAWNEY  
 READING HOSPITAL  
 SOLDIERS AND SAILORS  
 ST LUKES OF BETHLEHEM  
 TEMPLE UNIVERSITY HSP  
 TEMPLE/EPISCOPAL  
 THOMAS JEFFERSON  
 THS—HAHNEMANN HOSPITAL  
 TITUSVILLE  
 UPHS—PENNSYLVANIA HOSPITAL  
 VALLEY FORGE  
 WAYNE COUNTY MEMORIAL  
 WEST VIRGINIA  
 WESTERN PENN  
 YORK HOSPITAL

*Public Comment*

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

Persons with a disability who require 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-486. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 06-2070. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Payments to County Nursing Facilities; Proposed Rates for State Fiscal Year 2006-2007

This notice announces the Department of Public Welfare's (Department) proposed annual rates for State Fiscal Year 2006-2007 (FY 06-07), for county nursing facilities that participate in the Medical Assistance (MA) Program.

The rates will be calculated in accordance with 55 Pa. Code Chapter 1189, Subchapter D (relating to rate setting). As stated at 55 Pa. Code § 1189.91(a) (relating to per diem rates for county nursing facilities), the per diem rate paid to a county nursing facility for a rate year will be the facility's April 1, 2006, case-mix per diem rate as calculated under 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) multiplied by a budget adjustment factor (BAF). The per diem rates for the quarter that began on April 1, 2006, were previously announced at 36 Pa.B. 1300 (March 18, 2006).

As required by 55 Pa. Code § 1189.91(d), the Department intends to follow the formula set forth in the Commonwealth's approved State Plan to determine the BAF for FY 06-07. The Department recently submitted State Plan Amendments 06-008 and 06-009 to the Federal Centers for Medicare and Medicaid Services to include, among other things, the BAF formula which the Department will use in FY 06-07. As set forth in Supplement III to SPA 06-008, the Department completed these steps to determine the BAF for county nursing facilities:

*Step 1:* The Department determined the total appropriated funds that will be allocated for MA payments to county nursing facilities for the 2006-2007 rate year as follows:

1. Each county nursing facility's projected MA days for the rate year were multiplied by the facility's April 1, 2006, MA per diem rate to obtain each facility's projected payments for the rate year.
2. The projected payments for all county nursing facilities were added to obtain the total projected county payments for the rate year.
3. Each nonpublic nursing facility's projected MA days were multiplied by the facility's April 1, 2006, MA per diem rate to obtain each facility's projected payments for the rate year.
4. The projected payments for all nonpublic nursing facilities were added to obtain the total projected nonpublic payments for the rate year.
5. The total projected county and the total projected nonpublic payments were added to obtain the Statewide total projected payments for all nursing facilities for the rate year.
6. The total projected county payments were divided by the Statewide total projected payments to obtain the county projected payment percentage.

7. The county projected payment percentage was multiplied by the total funds appropriated in the General Appropriations Act for MA nursing facility services for the rate year to determine the total appropriated funds allocated to county nursing facilities.

*Step 2:* The BAF for county nursing facilities was determined as follows:

The total allocated funds for county nursing facilities determined in Step 1-7 was added to the projected patient pay amount for county nursing facilities for the rate year and that amount was divided by the total projected county payments for the rate year as determined in Steps 1-1 through 1-2 to determine the budget adjustment factor to be used for the rate year.

Using the BAF formula set forth in the pending State Plan Amendments, the budget adjustment factor for county nursing facilities for FY 06-07 will be 1.04.

The proposed per diem rates for FY 06-07 are available on the website for the Office of Medical Assistance Programs at [www.dpw.state.pa.us/omap](http://www.dpw.state.pa.us/omap) and at local county assistance offices throughout this Commonwealth or by contacting Tom Jayson, Policy Unit, Bureau of Long Term Living Support at (717) 705-3705.

#### *Fiscal Impact*

The change in county nursing facility payment rates, effective July 1, 2006, is estimated to cost the Department \$23.704 million (\$10.772 million in State funds) in FY 06-07.

#### *Public Comment*

Interested persons are invited to submit written comments regarding the proposed rates for FY 06-07 or the BAF formula, to the Department at the following address: Department of Public Welfare, Bureau of Long-Term Living Support, Attention: Gail Weidman, P. O. Box 2675, Harrisburg, PA 17105. 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 Services at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-488. (1) General Fund; (2) Implementing Year 2006-07 is \$10,772,000; (3) 1st Succeeding Year 2007-08 is \$11,752,000; 2nd Succeeding Year 2008-09 is \$11,752,000; 3rd Succeeding Year 2009-10 is \$11,752,000; 4th Succeeding Year 2010-11 is \$11,752,000; 5th Succeeding Year 2011-12 is \$11,752,000; (4) 2005-06 Program—\$817,890,000; 2004-05 Program—\$476,116,000; 2003-04 Program—\$588,528,000; (7) Medical Assistance—Long-Term Care; (8) recommends adoption. Funds have been included in the current budget to cover the increase.

[Pa.B. Doc. No. 06-2071. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Payments to Nonpublic Nursing Facilities; Proposed Rates for State Fiscal Year 2006-2007

The Department of Public Welfare's (Department) announces its proposed annual case-mix per diem payment rates for State Fiscal Year 2006-2007 (FY 06-07) for nonpublic nursing facilities that participate in the Medical Assistance (MA) Program.

As required by the case-mix payment methodology set forth in 55 Pa. Code Chapter 1187, Subchapter G (relat-

ing to rate setting), as amended at 36 Pa.B. 3207 (June 24, 2006), the Department intends to set a new annual MA per diem rate for each nonpublic nursing facility provider. Each facility's annual per diem rate will have four components: resident care; other resident related; administrative; and capital. For each quarter of FY 06-07, the Department will adjust the resident care component of each facility's rate by multiplying the resident care cost component by the facility's MA case-mix index (CMI) for the appropriate picture date. In addition, the Department will adjust each facility's CMI-adjusted quarterly rate by multiplying the rate by a "budget adjustment factor" (BAF).

As required by 55 Pa. Code § 1187.96(d)(iv) (relating to price and rate setting computations), the Department intends to follow the formula set forth in the Commonwealth's approved State Plan to determine the BAF for FY 06-07. The Department recently submitted State Plan Amendments 06-008 and 06-009 to the Federal Centers for Medicare and Medicaid Services to include, among other things, the BAF formula which the Department will use in FY 06-07. As set forth in Supplement III to SPA 06-008, the Department completed these steps to determine the BAF:

*Step 1:* The Department determined the total appropriated funds that will be allocated for MA payments to nonpublic nursing facilities for the 2006-2007 rate year as follows:

1. Each county nursing facility's projected MA days for the rate year were multiplied by the facility's April 1, 2006, MA per diem rate to obtain each facility's projected payments for the rate year.
2. The projected payments for all county nursing facilities were added to obtain the total projected county payments for the rate year.
3. Each nonpublic nursing facility's projected MA days were multiplied by the facility's April 1, 2006, MA per diem rate to obtain each facility's projected payments for the rate year.
4. The projected payments for all nonpublic nursing facilities were added to obtain the total projected nonpublic payments for the rate year.
5. The total projected county and the total projected nonpublic payments were added to obtain the Statewide total projected payments for all nursing facilities for the rate year.
6. The total projected county payments were divided by the Statewide total projected payments to obtain the county projected payment percentage.
7. The county projected payment percentage was multiplied by the total funds appropriated in the General Appropriations Act for MA nursing facility services for the rate year to determine the total appropriated funds allocated to county nursing facilities.
8. The total appropriated funds allocated to county nursing facilities were subtracted from the total funds appropriated in the General Appropriations Act for MA nursing facility services for the rate year to determine the total appropriated funds allocated to nonpublic nursing facilities.

*Step 2:* The BAF for nonpublic nursing facilities was determined as follows:

1. The MA per diem rate for the first quarter of the rate year for each facility was calculated in accordance with § 1187.96(a)—(d) and (e)(1).

2. The first quarter rate for each nursing facility was multiplied by the facility's projected days to obtain the facility's nonacuity adjusted projected payments for the rate year.

3. The nonacuity adjusted projected payments for all nonpublic nursing facilities were added to obtain a Statewide nonpublic facility nonacuity adjusted payment total.

4. The Department estimated the Statewide total acuity adjustment percent by calculating the Statewide change in payments for nonpublic nursing facilities from payments at the first quarter rate level to payments at an average of the facility's four quarterly rates for each of the prior 4 rate years. The acuity adjustment percent for each of the prior 4 years was calculated by dividing the Statewide payments calculated using four quarterly rates by the payments calculated using the first quarter rate. The Statewide total acuity adjustment percent estimate for the current rate year is an average of the percents calculated for the prior 4 years.

5. The Department applied the Statewide total acuity adjustment percent estimate to the Statewide nonpublic facility nonacuity adjusted payment total to obtain the acuity-adjusted projected payment amount for all nonpublic nursing facilities for the current rate year.

6. The total appropriated funds allocated to nonpublic nursing facilities determined in Step 1-8 was added to the projected patient pay amount for nonpublic nursing facilities for the rate year and that amount was divided by the acuity-adjusted projected payment amount determined in Step 2-5 to determine the BAF to be used for each quarter of the rate year.

Using the BAF formula set forth in the pending State Plan Amendments, the budget adjustment factor for nonpublic nursing facilities for FY 06-07 will be .93755.

The proposed annual per diem rates for FY 06-07 are available on the website for the Office of Medical Assistance Programs (OMAP) at [www.dpw.state.pa.us/omap](http://www.dpw.state.pa.us/omap) and at local county assistance offices throughout this Commonwealth or by contacting Tom Jayson, Policy Unit, Bureau of Long Term Living Support, at (717) 705-3705. In addition, the Department will calculate adjusted quarterly rates for the October, January and April quarters of FY 06-07 for each nonpublic MA nursing facility provider. These adjusted quarterly rates will be made available on the OMAP website, at local county assistance offices and from Tom Jayson.

#### *Fiscal Impact*

The change in payment rates, effective July 1, 2006, is estimated to cost the Department \$103.782 million (\$47.164 million in State funds) in FY 06-07.

#### *Public Comment*

Interested persons are invited to submit written comments regarding the proposed annual rates for FY 06-07 or the BAF formula to the Department at the following address: Department of Public Welfare, Bureau of Long-Term Living Support, Attention Gail Weidman, P. O. Box 2675, Harrisburg, PA 17105. 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 Services at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-487. (1) General Fund; (2) Implementing Year 2006-07 is \$47,164,000; (2) 1st Succeeding Year 2007-08 is \$54,452,000; (3) 2nd Succeeding Year 2008-09 is \$54,452,000; 3rd Succeeding Year 2009-10 is \$54,452,000; 4th Succeeding Year 2010-11 is \$54,452,000; 5th Succeeding Year 2011-12 is \$54,452,000; (4) 2005-06 Program—\$817,890,000; 2004-05 Program—\$476,116,000; 2003-04 Program—\$588,528,000; (7) Medical Assistance—Long-Term Care; (8) recommends adoption. Funds have been included in the current budget to cover the increase.

[Pa.B. Doc. No. 06-2072. Filed for public inspection October 20, 2006, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Cash Cow 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 Cash Cow.
2. *Price:* The price of a Pennsylvania Cash Cow instant lottery game ticket is \$1.
3. *Play Symbols:* Each Pennsylvania Cash Cow instant lottery game ticket will contain one play area. The prize play symbols and play symbol and their captions located in the play area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$2,000 (TWO THO), and Barn symbol (BARN).
4. *Prizes:* The prizes that can be won in this game are: Free Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100 and \$2,000.
5. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Cash Cow instant lottery game.
6. *Determination of Prize Winners:*
  - (a) Holders of tickets with three matching prize play symbols of \$2,000 (TWO THO) in the play area on a single ticket shall be entitled to a prize of \$2,000.
  - (b) Holders of tickets with three matching prize play symbols of \$100 (ONE HUN) in the play area on a single ticket shall be entitled to a prize of \$100.

- (c) Holders of tickets with three matching prize play symbols of \$40\$ (FORTY) in the play area on a single ticket shall be entitled to a prize of \$40.
  - (d) Holders of tickets with two matching prize play symbols of \$20\$ (TWENTY) and a Barn play symbol (BARN) in the play area on a single ticket shall be entitled to a prize of \$40.
  - (e) Holders of tickets with three matching prize play symbols of \$20\$ (TWENTY) in the play area on a single ticket shall be entitled to a prize of \$20.
  - (f) Holders of tickets with two matching prize play symbols of \$10<sup>00</sup> (TEN DOL) and a Barn play symbol (BARN) in the play area on a single ticket shall be entitled to a prize of \$20.
  - (g) Holders of tickets with three matching prize play symbols of \$10<sup>00</sup> (TEN DOL) in the play area on a single ticket shall be entitled to a prize of \$10.
  - (h) Holders of tickets with two matching prize play symbols of \$5<sup>00</sup> (FIV DOL) and a Barn play symbol (BARN) in the play area on a single ticket shall be entitled to a prize of \$10.
  - (i) Holders of tickets with three matching prize play symbols of \$5<sup>00</sup> (FIV DOL) in the play area on a single ticket shall be entitled to a prize of \$5.
  - (j) Holders of tickets with three matching prize play symbols of \$4<sup>00</sup> (FOR DOL) in the play area on a single ticket shall be entitled to a prize of \$4.
  - (k) Holders of tickets with two matching prize play symbols of \$2<sup>00</sup> (TWO DOL) and a Barn play symbol (BARN) in the play area on a single ticket shall be entitled to a prize of \$4.
  - (l) Holders of tickets with three matching prize play symbols of \$2<sup>00</sup> (TWO DOL) in the play area on a single ticket shall be entitled to a prize of \$2.
  - (m) Holders of tickets with two matching prize play symbols of \$1<sup>00</sup> (ONE DOL) and a Barn play symbol (BARN) in the play area on a single ticket shall be entitled to a prize of \$2.
  - (n) Holders of tickets with three matching prize play symbols of \$1<sup>00</sup> (ONE DOL) in the play area on a single ticket shall be entitled to a prize of \$1.
  - (o) Holders of tickets with three matching prize play symbols of FREE (TICKET) in the play area on a single ticket shall be entitled to a prize of one Pennsylvania Cash Cow instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.
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:</i>	<i>Win:</i>	<i>Approximate Odds Of 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
3-FREE's	TICKET	15	640,000
3-\$1's	\$1	15	640,000
3-\$2's	\$2	42.86	224,000
2-\$1's w/BARN	\$2	33.33	288,000
3-\$4's	\$4	75	128,000
2-\$2's w/BARN	\$4	60	160,000
3-\$5's	\$5	75	128,000
3-\$10's	\$10	300	32,000

<i>Get:</i>	<i>Win:</i>	<i>Approximate Odds Of 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
2-\$5's w/BARN	\$10	300	32,000
3-\$20's	\$20	600	16,000
2-\$10's w/BARN	\$20	600	16,000
3-\$40's	\$40	2,182	4,400
2-\$20's w/BARN	\$40	2,087	4,600
3-\$100's	\$100	48,000	200
3-\$2,000's	\$2,000	240,000	40

BARN (BARN) = Win double that amount.

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 Cash Cow 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 Cash Cow, prize money from winning Pennsylvania Cash Cow 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 Cash Cow 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 (72 P. S. §§ 3761-101—3761-314), 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 Cash Cow or through normal communications methods.

GREGORY C. FAJT,  
Secretary

[Pa.B. Doc. No. 06-2073. Filed for public inspection October 20, 2006, 9:00 a.m.]

## Pennsylvania Deuces Wild 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 Deuces Wild.

2. *Price:* The price of a Pennsylvania Deuces Wild instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Deuces Wild instant lottery game ticket will contain one play area consisting of "GAME 1," "GAME 2," "GAME 3" and

"GAME 4." Each "GAME" is played separately. Each "GAME" features a "YOUR CARD" area and a "DEALER'S CARD" area. The play symbols and their captions located in the "YOUR CARD" area are: 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), Jack (JACK), Queen (QUEEN), King (KING), Ace (ACE) and 2 (DEUCE) card play symbols. The play symbols and their captions located in the "DEALER'S CARD" area are: 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), Jack (JACK), Queen (QUEEN) and King (KING) card play symbols. Aces are high.

4. *Prize Symbols:* The prize symbols and their captions located in the "PRIZE" area of each "GAME" are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$50\$ (FIFTY), \$80\$ (EIGHTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$2,000 (TWO THO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$3, \$5, \$10, \$20, \$40, \$50, \$80, \$100, \$500 and \$2,000. The player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Deuces Wild instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$2,000 (TWO THO) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$2,000.

(b) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with a 2 (DEUCE) card play symbol, and a prize symbol of \$50\$ (FIFTY) appearing in the "PRIZE" area to the right of that 2 (DEUCE) card play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$80\$ (EIGHTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$80.

(f) Holders of tickets with a 2 (DEUCE) card play symbol, and a prize symbol of \$40\$ (FORTY) appearing in the "PRIZE" area to the right of that 2 (DEUCE) card play symbol, on a single ticket, shall be entitled to a prize of \$80.

(g) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$50\$ (FIFTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$40\$ (FORTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets with a 2 (DEUCE) card play symbol, and a prize symbol of \$20\$ (TWENTY) appearing in the "PRIZE" area to the right of that 2 (DEUCE) card play symbol, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$20\$ (TWENTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets with a 2 (DEUCE) card play symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appearing in the "PRIZE" area to the right of that 2 (DEUCE) card play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets with a 2 (DEUCE) card play symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appearing in the "PRIZE" area to the right of that 2 (DEUCE) card play symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets with a 2 (DEUCE) card play symbol, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appearing in the "PRIZE" area to the right of that 2 (DEUCE) card play symbol, on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" playing play symbol in that same "GAME," and a prize symbol of \$3<sup>00</sup> (THR DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(q) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets with a 2 (DEUCE) card play symbol, and a prize symbol of \$1<sup>00</sup> (ONE DOL) appearing in the "PRIZE" area to the right of that 2 (DEUCE) card play symbol, on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets where the "YOUR CARD" play symbol in any "GAME" beats the "DEALER'S CARD" play symbol in that same "GAME," and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$1.

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 Your Card Beats The Dealer's Card Within The Same Game, Win With Prize(s) Of:*

\$1  
 \$1 x 2  
 \$1 w/"2"  
 \$2  
 \$1 x 4  
 \$2 x 2  
 \$2 w/"2"  
 \$2 + \$3  
 \$5  
 \$5 x 2  
 \$5 w/"2"  
 \$10  
 \$5 x 4  
 \$10 x 2  
 \$10 w/"2"

*Win:*  
 \$1  
 \$2  
 \$2  
 \$2  
 \$4  
 \$4  
 \$4  
 \$5  
 \$5  
 \$10  
 \$10  
 \$10  
 \$20  
 \$20  
 \$20

*Approximate Odds are 1 In:*  
 10  
 66.67  
 66.67  
 33.33  
 150  
 150  
 75  
 150  
 150  
 600  
 600  
 300  
 1,500  
 750  
 1,500

*Approximate No. Of Winners Per 12,000,000 Tickets*  
 1,200,000  
 180,000  
 180,000  
 360,000  
 80,000  
 80,000  
 160,000  
 80,000  
 80,000  
 20,000  
 20,000  
 40,000  
 8,000  
 16,000  
 8,000

*When Your Card Beats The Dealer's Card Within The Same Game, Win With Prize(s) Of:*

<i>Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
\$20	\$20	1,500	8,000
\$10 × 4	\$40	9,600	1,250
\$20 × 2	\$40	9,600	1,250
\$20 w/"2"	\$40	9,600	1,250
\$40	\$40	9,600	1,250
\$50	\$50	2,400	5,000
\$20 × 4	\$80	48,000	250
\$40 w/"2"	\$80	48,000	250
\$80	\$80	48,000	250
\$50 × 2	\$100	60,000	200
\$50 w/"2"	\$100	60,000	200
\$100	\$100	60,000	200
\$500	\$500	120,000	100
\$500 × 4	\$2,000	2,400,000	5
\$2,000	\$2,000	2,400,000	5

"2" (DEUCE) = Win double the prize shown for that game.

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 Deuces Wild 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 Deuces Wild, prize money from winning Pennsylvania Deuces Wild 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 Deuces Wild instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

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

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 06-2074. Filed for public inspection October 20, 2006, 9:00 a.m.]

**Pennsylvania \$50,000 Birthday Bucks 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 \$50,000 Birthday Bucks.

2. *Price:* The price of a Pennsylvania \$50,000 Birthday Bucks instant lottery game ticket is \$5.

3. *Play and Prize Play Symbols:*

(a) Each Pennsylvania \$50,000 Birthday Bucks instant lottery game ticket will contain three play areas known as "Game 1," "Game 2" and "Game 3" respectively. Each game has a different game play method and is played separately. Each Pennsylvania \$50,000 Birthday Bucks instant lottery game ticket will also contain a "Birthday Bonus Box" area.

(b) The prize play symbols and their captions located in the play area for "Game 1" are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$50,000 (FTY THO).

(c) The play symbols and their captions located in the play area for "Game 2" are: Balloon symbol (BALLOON) and an X symbol (XXX).

(d) The play area for "Game 3" will contain a "YOUR SYMBOLS" area and a "LUCKY SYMBOLS" area. The play symbols and their captions located in the "YOUR SYMBOLS" area and the "LUCKY SYMBOLS" area are: Rocket symbol (RCKT), Ice Cream Cone symbol (ICEC), Noisemaker symbol (NOISE), Money Bag symbol (SBAG), Bills symbol (BILLS), Stack symbol (STACK), Bow symbol (BOW), Hat symbol (HAT), Candle symbol (CANDL), Party Favor symbol (FAVOR), Cake symbol (CAKE), Gift symbol (GIFT), Horn symbol (HORN), Cupcake symbol (CUPC), Music symbol (MUSIC), Dance symbol (DANCE) and a Confetti symbol (CNFTI).

(e) The prize play symbols and the play symbol and their captions located in the "Birthday Bonus Box" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and NO BONUS (TRY AGAIN).



#### 4. Prize Symbols:

(a) The play area for "Game 2" will contain a "PRIZE" area. The prize symbols and their captions located in the "PRIZE" area for "Game 2" are: \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$50,000 (FTY THO).

(b) The play area for "Game 3" will contain six "Prize" areas. The prize symbols and their captions located in the six "Prize" areas for "Game 3" are: \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$50,000 (FTY THO).

5. Prizes: The prizes that can be won in "Game 1," "Game 2" and "Game 3" are: \$5, \$10, \$20, \$50, \$100, \$500 and \$50,000. The prizes that can be won in the "Birthday Bonus Box" area are: \$5, \$10, \$20, \$50, \$100 and \$500. The player can win up to eight times on a ticket.

6. Approximate Number of Tickets Printed For the Game: Approximately 4,800,000 tickets will be printed for the Pennsylvania \$50,000 Birthday Bucks instant lottery game.

#### 7. Determination of Prize Winners:

(a) Determination of prize winners for "Game 1" are:

(1) Holders of tickets with three matching prize play symbols of \$50,000 (FTY THO) in the play area, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets with three matching prize play symbols of \$500 (FIV HUN) in the play area, on a single ticket, shall be entitled to a prize of \$500.

(3) Holders of tickets with three matching prize play symbols of \$100 (ONE HUN) in the play area, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets with three matching prize play symbols of \$50\$ (FIFTY) in the play area, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets with three matching prize play symbols of \$20\$ (TWENTY) in the play area, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets with three matching prize play symbols of \$10.<sup>00</sup> (TEN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(7) Holders of tickets with three matching prize play symbols of \$5.<sup>00</sup> (FIV DOL) in the play area, on a single ticket, shall be entitled to a prize of \$5.

(b) Determination of prize winners for "Game 2" are:

(1) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$50,000 (FTY THO) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$500 (FIV HUN) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$500.

(3) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$100 (ONE HUN) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$50\$ (FIFTY) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$20\$ (TWENTY) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$10.

(7) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$5.<sup>00</sup> (FIV DOL) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$5.

(c) Determination of prize winners for "Game 3" are:

(1) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(3) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$50\$ (FIFTY) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$20\$ (TWENTY) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(7) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(d) *Determination of prize winners for the "Birthday Bonus Box" are:*

(1) Holders of tickets with a prize play symbol of \$500 (FIV HUN) in the "Birthday Bonus Box" area, on a single ticket, shall be entitled to a prize of \$500.

(2) Holders of tickets with a prize play symbol of \$100 (ONE HUN) in the "Birthday Bonus Box" area, on a single ticket, shall be entitled to a prize of \$100.

(3) Holders of tickets with a prize play symbol of \$50 (FIFTY) in the "Birthday Bonus Box" area, on a single ticket, shall be entitled to a prize of \$50.

(4) Holders of tickets with a prize play symbol of \$20 (TWENTY) in the "Birthday Bonus Box" area, on a single ticket, shall be entitled to a prize of \$20.

(5) Holders of tickets with a prize play symbol of \$10 (TEN DOL) in the "Birthday Bonus Box" area, on a single ticket, shall be entitled to a prize of \$10.

(6) Holders of tickets with a prize play symbol of \$5 (FIV DOL) in the "Birthday Bonus Box" area, 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:

<i>Birthday Bonus Box</i>	<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Win:</i>	<i>Approximate Odds are 1 In:</i>	<i>Approximate No. of Winners Per 4,800,000 Tickets</i>
\$5	\$5	\$5	\$5	\$5	20	240,000
				\$5	30	160,000
				\$5	30	160,000
				\$5	30	160,000
\$10	\$10	\$10	\$10	\$10	42.86	112,000
				\$10	200	24,000
				\$10	200	24,000
				\$10	200	24,000
\$5	\$5	\$5	\$5	\$10	200	24,000
				\$5	150	32,000
				\$5 × 2	200	24,000
				\$5 × 2	200	24,000
\$20	\$20	\$20	\$20	\$20	200	24,000
				\$20	200	24,000
				\$20	200	24,000
				\$20	200	24,000
\$10	\$5	\$5	\$20	\$20	300	16,000
				\$20	200	24,000
				\$20	200	24,000
				\$20	200	24,000
\$10	\$5	\$5	\$5 × 2	\$20	200	24,000
				\$20	200	24,000
				\$20	200	24,000
				\$20	200	24,000
\$50	\$50	\$50	\$50	\$50	200	24,000
				\$50	600	8,000
				\$50	600	8,000
				\$50	600	8,000
\$5	\$20	\$20	\$5	\$50	600	8,000
				\$50	600	8,000
				\$50	600	8,000
				\$50	600	8,000
\$10	\$10	\$10	\$10 × 2	\$50	600	8,000
				\$50	600	8,000
				\$50	600	8,000
				\$50	600	8,000
\$20	\$10	\$10	\$5 × 6	\$50	600	8,000
				\$50	600	8,000
				\$50	600	8,000
				\$50	600	8,000
\$100	\$100	\$100	\$10 × 5	\$100	2,400	2,000
				\$100	2,400	2,000
				\$100	2,400	2,000
				\$100	2,400	2,000
\$10	\$20	\$20	\$20 × 2	\$100	2,400	2,000
				\$100	2,400	2,000
				\$100	2,400	2,000
				\$100	2,400	2,000
\$20	\$20	\$20	\$20 × 2	\$100	2,400	2,000
				\$100	2,400	2,000
				\$100	2,400	2,000
				\$100	2,400	2,000
\$50	\$50	\$50	\$20 × 5	\$100	2,400	2,000
				\$100	2,400	2,000
				\$100	2,400	2,000
				\$100	2,400	2,000
\$500	\$500	\$500	\$500	\$500	10,000	480
				\$500	10,000	480
				\$500	10,000	480
				\$500	10,000	480
\$500	\$500	\$500	\$100 × 5	\$500	10,000	480
				\$500	10,000	480
				\$500	10,000	480
				\$500	10,000	480
\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	960,000	5
				\$50,000	960,000	5
				\$50,000	960,000	5
				\$50,000	960,000	5

GAME 1—Get 3 like amounts, win that prize.

GAME 2—Get three "BALLOON" (BALLOON) symbols in a row, column or diagonal, win prize shown.

GAME 3—When any of YOUR SYMBOLS match either LUCKY SYMBOL, win the prize shown under the matching symbol.

BIRTHDAY BONUS BOX—Reveal prize amount from \$5 to \$500 and win that prize.

Prizes, including the 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 \$50,000 Birthday Bucks 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 \$50,000 Birthday Bucks, prize money from winning Pennsylvania \$50,000 Birthday Bucks 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 \$50,000 Birthday Bucks instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$50,000 Birthday Bucks or through normal communications methods.

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 06-2075. Filed for public inspection October 20, 2006, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding Philadelphia County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Deputy Secretary for Highway Administration (Deputy Secretary) makes the following written finding:

The Department of Transportation (Department) plans to reconstruct Germantown Avenue, SR 4005, Section 15P, from Ashmead Place to South Church Lane in the City of Philadelphia. The Colonial Germantown Historic District and Historic Route 23 Trolley Line are within the project limits.

Design of the project will include paving materials in the Germantown Avenue roadway and adjacent sidewalks that are sympathetic to the historic district, reusing historic granite blocks from the roadway in parking lanes, using granite curbs, leaving a 0.5 to 1.0 inch space in the grouting and maintaining the Route 23 Trolley Line tracks in the roadway. Also, coordination with consulting parties and the public will continue throughout final design of the project.

The Deputy Secretary has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize the effect.

RICHARD H. HOGG, P. E.,  
*Deputy Secretary for  
Highway Administration*

[Pa.B. Doc. No. 06-2076. Filed for public inspection October 20, 2006, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### PPL Brunner Island, LLC v. DEP; EHB Doc. No. 2006-214-MG

PPL Brunner Island, LLC has appealed the issuance by the Department of Environmental Protection of an NPDES permit to PPL Brunner Island, LLC for a facility in Manchester Township, York 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 any interested party 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. 06-2077. Filed for public inspection October 20, 2006, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Filing of Final Rulemaking

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, in Harrisburg at 10:30 a.m. Note that the time and date of the meeting is tentative and interested parties are encouraged to contact the Commission at (717) 783-5417 or visit its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us) to confirm that information. To obtain a copy of the 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.

### Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
14-505	Department of Public Welfare Child Care	10/3/06	11/2/06
14-506	Department of Public Welfare Child Care Facilities	10/3/06	11/2/06
35-29	Pennsylvania Commission on Crime and Delinquency, Office of Victims' Services Crime Victims Compensation	10/4/06	11/16/06

### Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
8-11	Department of General Services Distribution of Federally Donated Foods to Needy Households	10/5/06	11/16/06
15-439	Department of Revenue School District Personal Income Tax	10/11/06	11/16/06

ALVIN C. BUSH,  
*Chairperson*

[Pa.B. Doc. No. 06-2078. Filed for public inspection October 20, 2006, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority

The Williamsport Home has applied for a continuing care provider Certificate of Authority to operate a facility located in Williamsport, PA. The filing was received on October 5, 2006, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Stephanie Ohnmacht, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or [sohnmacht@state.pa.us](mailto:sohnmacht@state.pa.us).

M. DIANE KOKEN,  
*Secretary*

[Pa.B. Doc. No. 06-2079. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Application for Approval to Acquire Control

Anthony Joseph Bonomo has filed an application to acquire control of Pennsylvania Physicians Reciprocal Insurers, a Pennsylvania domiciled insurance reciprocal exchange. The filing was made under the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Stephanie Ohnmacht, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or [sohnmacht@state.pa.us](mailto:sohnmacht@state.pa.us).

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-2080. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Application for Approval to Redomesticate

United Casualty Insurance Company of America, a domestic stock property insurance company, has filed an application for approval of a plan of redomestication whereby the state of domicile would change from Pennsylvania to Illinois. The initial filing was made under the requirements set forth under 15 Pa.C.S. §§ 1101—4162 (relating to the Business Corporation Law of 1988). Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving the redomestication are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-2081. Filed for public inspection October 20, 2006, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-530.

#### *Governor's Office*

Management Directive No. 310.23—Commonwealth Purchasing Card Program, Amended August 11, 2006.

Management Directive No. 530.11—Benefit Rights of Permanent and Nonpermanent Employees, Amended July 25, 2006.

Management Directive No. 580.31—Classified Service Temporary Appointments, Amended August 14, 2006.

Administrative Circular No. 06-14—2007-08 Budget Instructions, Dated August 15, 2006.

Administrative Circular No. 06-15—Holidays—2007, Dated August 31, 2006.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 06-2082. Filed for public inspection October 20, 2006, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Philadelphia County, Wine & Spirits Shoppe #5149, 4049 Market Street, Philadelphia, PA 19104.

*Lease Expiration Date:* 90-day since June 30, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space within a 1/2-mile radius from the intersection of 42nd and Walnut Streets, Philadelphia.

*Proposals due:* November 10, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert Jolly, (215) 482-9671

JONATHAN H. NEWMAN,  
*Chairperson*

[Pa.B. Doc. No. 06-2083. Filed for public inspection October 20, 2006, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, will hold a meeting of the Authority's 11 member Board of Directors on Tuesday, November 14, 2006, at 10:30 a.m. in the Wildwood Conference Center, Harrisburg Area Community College, One HACC Drive, Harrisburg, PA.

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

ALAN B. K. RABINOWITZ,  
*Administrator*

[Pa.B. Doc. No. 06-2084. Filed for public inspection October 20, 2006, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Future Transfer of Property

**A-110300F0110, A-110400F0048 and A-110450F0023.** Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company. Application of Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company (Companies) for authority under 66 Pa.C.S. §§ 1102 and 2102 for the Future Transfer of Property that is used and useful in the public service. The Companies propose to

make these future transfers under a multi-utility agreement known as the Spare Transformer Sharing Agreement.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 6, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the Applicant's business address.

*Applicants:* Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company

*Through and By Counsel:* Linda Evers, Esquire, FirstEnergy Service Company, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612-6001

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2085. Filed for public inspection October 20, 2006, 9:00 a.m.]

## Investigation of Conservation, Energy Efficiency Activities and Demand Side Response by Energy Utilities and Ratemaking Mechanisms to Promote Those Efforts; Doc. No. M-00061984

Public Meeting held  
September 28, 2006

*Commissioners Present:* Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

### Investigation Order

*By the Commission*

Through this order the Commission initiates an investigation into reasonable, cost-effective programs that electric distribution companies, electric generation suppliers, energy services providers and other stakeholders can implement to help retail electric customers conserve energy or use it more efficiently. This investigation shall also include an analysis of needed advanced metering infrastructure and appropriate ratemaking mechanisms that may remove any barriers to the development of energy efficiency, conservation, and demand side response. To expedite the investigation, we will reconvene the Demand Side Response Working Group ("DSR Working Group") for the purpose of investigating the specific issues addressed in this order. The Director of Operations will schedule meetings of the DSR Working Group, assign Commission staff to this investigation, develop a list of issues to investigate, solicit comments from interested parties, and provide specific recommendations to the Commission at the conclusion of the investigation.

### BACKGROUND

At the outset, we emphasize that this should not be an open-ended investigation with generic recommendations. These topics have been studied and explored for many years and we do not envision this investigation to be a "re-education" of what these programs are or a report on their generic pros and cons. Rather, we hope that the

DSR Working Group will provide us with specific recommendations for implementation.

We have reviewed the reports prepared by the DSR Working Group in 2004 on the subjects of technology deployment, cost-recovery, benefits of demand side response, and consumer surveys.<sup>1</sup> We appreciate all the hard work that the original DSR Working Group put forth over the years beginning with roundtable discussions in November 2000. At that time the DSR Working Group included representatives from electric distribution companies, electric generation suppliers, the Offices of Consumer Advocate and Small Business Advocate, Industrial Energy Consumers of Pennsylvania and the PUC. The collective work product of this group is very much appreciated and the information should be used as a starting point for moving forward. While this work product and these reports have been helpful in educating the Commission about these issues, we request that the DSR Working Group provide specific policy recommendations on the subjects addressed in this order.

We also note that the Commission is currently reviewing comments and reply comments from the en banc hearing on Policies to Mitigate Electric Price Increases at Docket No. M-00061957. The DSR Working Group is encouraged to review the record in the en banc proceeding and incorporate any recommendations therein.

### DISCUSSION

As most homeowners and businesses are well aware, energy prices have been at all-time highs. Natural gas prices continue to hover at historically high levels, and very little respite is in sight. For example, the U.S. Energy Information Administration is projecting a 2007 residential average natural gas price of \$13.53/Mcf.<sup>2</sup> While this price is slightly lower than the 2006 price (\$13.95/Mcf vs. \$13.53/Mcf), it is some 26% higher than the 2004 national average of \$10.75/Mcf and 166% higher than the inflation adjusted price in 1995<sup>3</sup> (the unadjusted price would be several times higher). These national averages appear generally to track our experience in the Commonwealth.

While electric customers in many parts of the Commonwealth are protected—for now—from the increases in electric generation prices, other areas, such as Pike County, are directly feeling the effects. Consequently, this Commission has begun a separate investigation to review steps that may be appropriate in order to mitigate the hikes that have occurred, as well as those that may occur upon the termination of price protection in the 2009-2010 timeframe.

Even though this Commission and many energy utilities have various ongoing programs to encourage customers to conserve or shift usage to lower cost periods, and to assist them in identifying ways of doing so, we need to explore additional means to promote energy efficiency, conservation, and demand side response in an expedited manner, as is discussed in greater detail in the following sections.<sup>4</sup> As part of this investigation, the DSR Working Group will consider what type of advanced metering infrastructure and rate making mechanisms are most conducive to these programs.

<sup>1</sup> See [http://www.puc.state.pa.us/electric/electric\\_dmndsideresp.aspx](http://www.puc.state.pa.us/electric/electric_dmndsideresp.aspx).

<sup>2</sup> EIA Short-Term Energy Outlook, August 8, 2006.

<sup>3</sup> EIA, Annual Energy Outlook 2006 (Dec. 12, 2005). The above figures are in 2004 dollars.

<sup>4</sup> For example, utility regulators from Pennsylvania, New Jersey, Delaware, Maryland, and the District of Columbia, in collaboration with federal and regional authorities, are members of the Mid-Atlantic Distributed Resources Initiative which advocates accelerated implementation of distributed energy resources in the region.

### A. Efficient Energy Usage and Conservation

As we anticipate another winter of high energy prices, there is an acute need to find ways to assist utility customers in dealing with record high bills. Any comprehensive plan must necessarily include efforts to encourage customers to reduce their use of energy through conservation and energy efficiency. Although this Commission has been diligent in assuring that utility rates are only as high as they need to be to permit the utility to recover its actual costs and no more, those actual costs continue to increase at an alarming rate. And, for the most part, the increases are outside the control of Pennsylvania's energy utilities and this Commission. The best way to reduce a customer's energy bill in this environment of intensifying world energy prices is by continuing to educate customers on how to use less energy and to efficiently use only what is required.

There are numerous benefits that will accrue from pursuing an aggressive conservation program. While individual customers will obviously achieve benefits by reducing their overall energy bill, some studies indicate that such reductions can actually reduce natural gas prices for all customers.<sup>5</sup> Similar studies regarding electricity pricing have indicated that encouraging individual customers to reduce their usage at peak times can result in reductions in overall wholesale prices.<sup>6</sup>

One crucially important source of conservation assistance is the utilities themselves. They may be in the best position to know which customers would most benefit from assistance and what programs might work best on their system. Certainly, all of the major energy utilities have at least some programs to help customers, particularly low income customers, use energy more efficiently. Efficiency and conservation efforts can also be encouraged or provided by regional transmission organizations, the private sector, or non-profit organizations. This includes non-profit organizations created with specific conservation and efficiency goals, such as the New York State Energy Research and Development Authority and various sustainable energy boards.

We would like recommendations from the DSR Working Group on specific energy efficiency and conservation measures that can be implemented in a cost-effective manner for all customers. In the current environment, utility efforts to assist their customers to reduce usage (thereby helping them to reduce their bills) is as essential a part of the utility's public service obligation as is securing adequate sources of supply or maintaining a safe and reliable distribution network.<sup>7</sup>

### B. Demand Side Response

Another means of reducing energy costs is the reduction of energy use during peak periods of the day or year, when energy costs are highest. Currently, most electric utility customers pay a rate that is constant throughout the day, and even throughout the year, and thus they have little or no economic incentive to help reduce energy costs during peak cost periods. Many jurisdictions throughout the United States are increasingly looking at aligning the wholesale electricity costs of providing power with retail rates through innovative pricing programs,

<sup>5</sup> A 2003 study found that increasing energy efficiency by 5% could reduce natural gas prices by as much as 20%. Neal, Shipley & Brown, *Impact of Energy Efficiency & Renewable Energy on Natural Gas Markets*, American Council for an Energy Efficient Economy, September 12, 2003.

<sup>6</sup> See Eric Hurst, *Barriers to Price Responsive Demand in Wholesale Electricity Markets*, Edison Electric Institute, June 2002; Severin Borenstein, *The Trouble With Electricity Markets (and some solutions)*, University of California Energy Institute, January 2001.

<sup>7</sup> See 66 Pa.C.S. §§ 1301, 1501.

such as time-of-use rates, critical peak power rates, seasonal rates, and hourly pricing programs.

These programs include financial incentives that reward consumers for reducing energy usage during peak cost periods or for reliability purposes. These can be in the form of passive programs that permit the utility or a third party to reduce demand automatically (e.g., water heating or HVAC control programs), or voluntary/active programs (e.g., economic or emergency load response programs).

An example of this type of approach that the DSR Working Group should consider is a program offered by Toronto Hydro-Electric System Limited, which is referred to as the "10/10 Program." One of the most interesting aspects of this 10/10 Program is that it focuses on rewarding residential and small commercial customers for achieving specific conservation goals. Many believe that demand response programs have been the domain of large commercial and industrial customers. These larger customers are presumed to be the most cost conscious and the most responsive to economic signals. Because of this assumption, the potential for small customers to also participate in demand response programs has been greatly discounted. Some highlights of the 10/10 Program are:

- All residential and small commercial (<50 kW) customers are eligible.
- The customers are automatically enrolled.
- No special metering is required.
- Customers that reduce their consumption during the 10/10 Program period (July 15 to September 15) by 10 percent or more will be given an additional 10 percent rebate off their total bill for the program period.
- Customers that achieve less than the 10 percent reduction will not be eligible for any rebates, although they still have achieved the benefits of lower electricity charges.
- The costs of the program are allocated only to the two eligible customer classes.

The 10/10 Program also includes a potential for a Lost Revenue Adjustment Mechanism to address the loss of distribution revenues.

Proponents of 10/10 Program believe that it may encourage residential and small commercial customers to modify their electricity usage and become more aware of energy conservation and its benefits. They also hold that there will be a "spill over" benefit from other customers who may not achieve the targeted 10 percent reduction yet still benefit from lower electricity bills.

The DSR approaches of the type described above can reduce energy bills and enhance overall system reliability. The DSR Working Group should provide specific recommendations on the types of programs that should be implemented.

### C. Advanced Metering Infrastructure

Many demand side response strategies cannot be implemented without development of a robust and advanced metering infrastructure ("AMI") that can provide, at a minimum, hourly or sub-hourly metering information on a timelier basis. For example, time-based rates and many load response programs cannot be effectively administered without the availability of actual hourly usage

information.<sup>8</sup> Implementation of advanced metering systems can provide many secondary benefits such as enhanced reliability, improved customer service, and reduced operating costs. Often, these secondary benefits alone justify the long term investment in such metering systems.<sup>9</sup> Given the potential for these systems to help mitigate energy price increases and improve service in the future, we should examine more closely the potential benefits and costs for all utilities in Pennsylvania to develop our advanced metering infrastructure. The DSR Working Group should make specific recommendations regarding implementation, if appropriate, and look for new ways to communicate this information to utilities, customers, competitive energy suppliers, and other customer representatives.<sup>10</sup>

#### D. Ratemaking Mechanisms

The DSR Working Group should also explore the effective ratemaking mechanisms that remove any existing disincentives to utilities' pursuit of aggressive energy efficiency, conservation or demand side response initiatives.

Traditionally, a utility's base rates have been established on the basis of a typical (or "pro forma") level of test year sales. If the utility increased sales over that test year level, it increased its annual revenues, and, if all other parts of the ratemaking calculation remained the same, it earned a greater return for its investors. Conversely, if sales decreased in relation to test year levels, the utility collected fewer revenues than anticipated and, in turn, earned a lower return than it was given an opportunity to earn by the Commission in its rate case. For some utilities, lower sales may affect their ability to maintain a safe and reliable infrastructure. These ratemaking facts have led commentators to observe that utilities not only have no incentive to assist their customers to reduce usage, but actually have a strong incentive to increase usage on their systems, especially between base rate cases.<sup>11</sup>

Several major studies have investigated ratemaking policies and programs that can be implemented to reduce or eliminate this potential barrier to aggressive promotion of conservation and energy efficiency by utilities.<sup>12</sup> One mechanism that has been identified as useful in removing any disincentives has been dubbed "revenue decoupling," which has been described as preventing financial erosion from future reductions in consumption so that utilities will not be harmed by those reductions when revenues fall below the levels on which the utility's base rates were set.<sup>13</sup> The imposition of a decoupling mechanism permits a utility to recover its fixed and construction-related costs in the face of continual reductions in usage caused by the installation of more energy efficient appliances and prudent conservation steps. It is argued that the value to the customer of the increased conservation steps promoted or

made possible by the utility far outweighs any additional charge resulting from the decoupling mechanism.

Such mechanisms have been implemented by some states.<sup>14</sup> It is particularly noteworthy that an eminent environmental advocacy group like the Natural Resources Defense Council would advocate the adoption of ratemaking mechanisms to separate a utility's margin recoveries from throughput, thereby enabling the utility to aggressively promote conservation programs to help customers reduce their consumption.

On the other hand, such mechanisms have also been criticized by various parties. Criticisms include concerns that decoupling mechanisms create more volatile and unpredictable rates and reduce a utility's incentive to offer innovative services. There are also concerns about public reaction, in part because the concept may be difficult to explain to customers.<sup>15</sup> The DSR Working Group should fully investigate these concerns and provide specific recommendations for future action, if appropriate.

#### CONCLUSION

An investigation into efficient energy usage, conservation, demand side response, advanced metering infrastructure, and appropriate ratemaking mechanisms will permit the Commission to review available evidence of the necessity, costs and benefits of various programs and approaches. Doing so generically will prevent the specific facts and circumstances of individual utilities from skewing the results. The initiation of this investigation is not intended to preempt or prejudice any proposals by individual utilities or other stakeholders. Such requests, if they come before us, will be considered on the record before us in that proceeding; *Therefore:*

*It Is Ordered That:*

1. The Commission initiate an investigation of:

(a) Energy utilities' current efforts to assist their customers to reduce usage, increase energy efficiency, and implement demand side response programs (including implementation of time-based rates), and whether additional cost effective and reasonable steps can be taken to increase those efforts materially (and, if so, the nature of those activities and the costs that the utility or other entity and customers would incur to implement them); and

(b) Whether Advanced Metering Infrastructure should be developed by Pennsylvania utilities, and, if so, the timeline and standards that should be established for the implementation of these systems for the various customer classes and the methods of sharing this information with customers, competitive energy suppliers, and other customer representatives.

(c) Whether revenue decoupling or other similar mechanisms are necessary or appropriate to assure that energy utilities, and in particular natural gas utilities, aggressively encourage and implement conservation and energy efficiency in their service territories, and whether such mechanisms are fair to customers and otherwise in the public interest. At a minimum, the following legal and policy questions should be addressed: whether such mechanisms are legally permissible in Pennsylvania; whether such mechanisms are actually necessary in order to obtain the participation of energy utilities in conservation promotion activities; and whether the costs of implementing such mechanisms outweigh any benefits, and, if the benefits are greater, what type of decoupling approach is optimal.

<sup>8</sup> The DSR Working Group should address the effects of the Commission adopting flat rates instead of time-of-use rates for default service. Would other benefits of AMI (for example, reduced operational costs, improved customer service, quicker emergency response, improved reliability, better capability to participate in demand response programs and retail choice alternatives, and overall economies of scale in AMI) exceed the costs of such an investment in our utility infrastructure?

<sup>9</sup> Reply comments of the Pennsylvania Department of Environmental Protection on Policies to Mitigate Potential Electricity Price Increases, Docket No. M-00061957.

<sup>10</sup> Again, we do not envision this investigation as a generic exploration of the pros and cons of energy efficiency or demand side response programs. We encourage the DSR Working Group to examine the recent Federal Energy Regulatory Commission Staff Report on the Assessment of Demand Response & Advanced Metering at Docket No. AD-06-2-000 for general background information and resource guide.

<sup>11</sup> Joint Statement of the American Gas Association and the Natural Resources Defense Council on Energy Efficiency at 2 (July 2004).

<sup>12</sup> See National Regulatory Research Institute ("NRRI") Report 06-06: *Revenue Decoupling for Natural Gas Utilities* (April 2006). Based at Ohio State University, NRRI is the non-profit research arm of the National Association of Regulatory Utility Commissioners.

<sup>13</sup> *Id.*, at 9-10.

<sup>14</sup> *Id.*, at 4-6.

<sup>15</sup> *Id.*, at 18.



2. The Director of Operations reconvene the DSR Working Group for the purpose of investigating the issues addressed in this order. The Director shall schedule meetings of the DSR Working Group, assign Commission Staff to this investigation, provide a specific list developed by the working group of issues to investigate, solicit comments from interested parties, and provide specific recommendations to the Commission at the conclusion of the investigation, where working group consensus is attained. Where working group consensus is not attained, Commission Staff shall develop a strawman proposal for Commission review and allow parties to comment on the staff recommendation. The Director shall also develop a schedule for this investigation that will permit the Commission to issue findings and conclusions on or before May 15, 2007.

3. A copy of this order be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2086. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Natural Gas Service

**A-121850F2039. National Fuel Gas Distribution Corporation.** Application of National Fuel Gas Distribution Corporation for approval of the abandonment of natural gas service to one natural gas service customer located in the City of Franklin, Venango County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 6, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* National Fuel Gas Distribution Corporation  
*Through and By Counsel:* Christopher M. Trejchel, Esquire, 1100 State Street, Erie, PA 16501

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2087. Filed for public inspection October 20, 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 by November 13, 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-00123170. Rescue Tech, Inc.** (638 Stream Ridge Lane, Feasterville, Bucks County, PA 19053)—a corporation of the Commonwealth of Pennsylvania—persons in paratransit service from points in the Counties of Philadelphia, Bucks, Delaware, Chester and Montgomery, to points in Pennsylvania, and return.

**A-00123171. Low Road Enterprises, Inc.** (1438 Route 61 South, Pottsville, Schuylkill County, PA 17901)—persons, in limousine service, from points in the Counties of Schuylkill, Dauphin, Lehigh and Philadelphia, to points in Pennsylvania, and return. Attorney: Albert J. Evans, Esquire, Riley and Fanelli, PC, No. 1 Mahantongo Street, Pottsville, PA 17901

**A-00123173. Frank D. Slater** (1100 Springfield Road, Penn Run, Indiana County, PA 15765)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Indiana, to points in Pennsylvania, and return.

**A-00123174. Joseph M. Kilmer, Jr.** (R. R. 3, Box 1571, Port Royal, Juniata County, PA 17082)—persons, in paratransit service, from the County of Juniata, to points in Pennsylvania, and return.

**A-00123175. Alexis Fuentes-Vega** (513 West Green Street, Hazleton, Luzerne County, PA 18201)—persons, in paratransit service, from Hazleton, Luzerne County to Pittston, Luzerne County, Pennsylvania, and return.

**A-00123178. Francisco Duran** (662 North Locust Street, Hazleton, Luzerne County, PA 18201)—persons, in paratransit service, from Hazleton, Luzerne County to Pittston, Luzerne County, Pennsylvania, and return.

**A-00123182. Dewayne Royer** (177 Mackeyville Road, P. O. Box 62, Mackeyville, Clinton County, PA 17750)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Clinton to points in Pennsylvania, and return.

**A-00123183. Doris L. Palmer, t/a Deluxe Travel & Tours** (1516 N. 6th Street, Philadelphia, Philadelphia County, PA 19122)—persons in paratransit service from points in the Counties of Philadelphia, Bucks, Montgomery and Delaware, to points in Pennsylvania, and return.

**A-00123187. Shirley Ann Ritter** (1038 Barrville Road, Reedsville, Mifflin County, PA 17084)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Mifflin, to points in Pennsylvania, and return.

**A-00123188. Ismail Subasilar** (95 Penn Estates, East Stroudsburg, Monroe County, PA 18301)—persons, in limousine service, from points in the County of Monroe, to points in Pennsylvania, and return.

**A-00123191. David Marks Azar, t/d/b/a DMA Transportation** (P. O. Box 483, Bryn Mawr, Montgomery and Delaware Counties, PA 19301)—persons, in limousine service, in the Counties of Chester, Montgomery, Delaware and Bucks, and from said counties to points in Pennsylvania, and return.

**A-00123195. Michael Dean Axe** (1142 Lebanon Road, Manheim, Lancaster County, PA 17545)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Borough of Manheim, Lancaster County and within 10 statute miles of said borough, to points in Pennsylvania, and return.

**A-00123196 F.2. Eleanore Bartell, t/a Bartell Services** (333 Nicholas Street, Pottsville, Schuylkill County, PA 17545)—persons in paratransit service, from points in the County of Schuylkill, to points in Pennsylvania, and return.

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.**

**A-00122163, F.1, Am-A. Lifestar Ambulance, Inc.** (15 Ardrossan Avenue, West Chester, Chester County, PA 19382), a corporation of the Commonwealth—persons in paratransit service, from points in the County of Chester, to points in Pennsylvania, and return: *So as to permit the transportation of persons, in paratransit service, between points in the City and County of Philadelphia, and from said city and county, to points in Pennsylvania, and return.*

**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.**

**A-00107326, F.4. Handy Delivery, Inc., t/a Handy Delivery** (2197 High Tech Road, State College, Centre County, PA 16803)—a corporation of the Commonwealth—persons in airport transfer service, from University Park Airport, Centre County, to points in Pennsylvania.

**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 by transfer of rights as described under the application.**

**A-00123180. Genco Enterprise, LLC, t/d/b/a Town & Country Moving & Storage** (612 Jeffers Circle, Exton, Chester County, PA 19341), a limited liability company of the State of Delaware—household goods in use: (1) between points in the Counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, included within a line which connects the municipal boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville, but not including said places; (2) from points in the Counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, included within a line which connects the municipal boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville, but not includ-

ing said places, to other points in Pennsylvania, and vice versa; (3) for the United States Department of Defense, between points in the Counties of Lehigh, Bucks, Chester, Montgomery, Delaware and Northampton, and within an airline distance of 25 statute miles of the limits thereof, and from points in said territory, to points in Pennsylvania, and vice versa; and (4) between points in the County of Chester, and from points in said county, to points in Pennsylvania, and vice versa; which is to be a transfer of all of the rights authorized under the certificate issued at A-00113767, issued to Town and Country Van Line, Inc., a corporation of the Commonwealth, subject to the same limitations and conditions. *Attorney:* John J. Gallagher, Suite 1100, 1760 Market Street, Philadelphia, PA 19103-4104.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-00120285. Daryl W. Jackson, t/a Daryl Jackson Amish Passenger Service** (470 Houtztown Road, Myerstown, Lebanon County, PA 17067)—certificate of public convenience to abandon/discontinue the rights to transport, as a common carrier by motor vehicle, persons whose personal convictions prevent them from owning or operating motor vehicles, in paratransit service, from points in the County of Lebanon to points in Pennsylvania, and return.

**A-00121486. Sunshine Partnership, LLC, t/a Superior Coach Service** (P. O. Box 1044, Uniontown, Fayette County, PA 15401)—certificate of public convenience to discontinue the right to transport, as a common carrier, persons in limousine service, between points in the County of Fayette, and from points in said county to points in the Counties of Allegheny, Washington, Westmoreland, Greene and Somerset, and return. *Attorney:* Morella & Associates, 706 Rochester Road, Pittsburgh, PA 15237.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2088. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Utility Propane Sales Service

**A-122050F2003. PPL Gas Utilities Corporation.** Application of PPL Gas Utilities Corporation for approval of the abandonment or discontinuance of Utility Propane Sales Service to 14 commercial customers in Snake Spring Valley Township, Bedford County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 6, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* PPL Gas Utilities Corporation

*Through and By Counsel:* John H. Isom, Esquire, Post & Schell, P. C., 17 North Second Street, 12th Floor, Harrisburg, PA 17101

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2089. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Water Service

**A-210104F0076. Aqua Pennsylvania, Inc.** Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in a portion of Caln Township, Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 6, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Aqua Pennsylvania, Inc.

*Through and By Counsel:* Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2090. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Water Service

**A-210104F0077. Aqua Pennsylvania, Inc.** Application of Aqua Pennsylvania, Inc. for approval of: 1) the acquisition by Aqua Pennsylvania, Inc. of the water system assets of the estate of Brenda Davis; and 2) the right of Aqua Pennsylvania, Inc. to begin to offer, render, furnish or supply water service to the public in an additional portion of Palmyra Township, Wayne County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 6, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Aqua Pennsylvania, Inc.

*Through and By Counsel:* Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2091. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Water Service

**A-212840F2000 and A-213550F0024. The York Water Company and Spring Grove Water Company.** Application of The York Water Company and its wholly owned subsidiary Spring Grove Water Company for approval of: 1) the merger of Spring Grove Water Company with and into The York Water Company; 2) the right of The York Water Company to begin to supply water service to the public in the service area previously served by Spring Grove Water Company; and 3) the abandonment of water service of Spring Grove Water Company in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 6, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between of 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicants:* The York Water Company and Spring Grove Water Company

*Through and By Counsel:* Michael W. Gang, Esquire, Michael W. Hassell, Esquire, Post & Schell, P. C., 17 North 2nd Street, 12th Floor, Harrisburg, PA 17101-1601

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-2092. Filed for public inspection October 20, 2006, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #06-152.1, Replace O/H Steel Doors at Pier 80 S. until 2 p.m. on Thursday, November 16, 2006. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available October 24, 2006. Additional information and project listings may be found at [www.philaport.com](http://www.philaport.com). The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations. Bidders must provide to the Procurement Department in writing the names of individuals that will be attending prebid meetings. This information is needed 24 hours prior to the meeting. Fax to (215) 426-6800, Attn: Procurement Department.

A mandatory prebid job site meeting will be held November 2, 2006, 10 a.m. at Columbus Blvd. and Snyder Ave. (pier entrance gate north of Pier 78 S. Annex), Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 06-2093. Filed for public inspection October 20, 2006, 9:00 a.m.]

**Request for Bids**

The Philadelphia Regional Port Authority (PRPA) will accept bids for Project #06-160.P, Purchase of Printer and Fax Cartridges, until 2 p.m. on Thursday, November 2, 2006. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available October 2, 2006. The cost of the above bid documents is \$15 each (includes 7% PA Sales Tax) which is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 06-2094. Filed for public inspection October 20, 2006, 9:00 a.m.]

**Request for Bids**

The Philadelphia Regional Port Authority (PRPA) will accept bids for Project #06-161.P Janitorial Supplies, until 2 p.m. on Thursday, November 2, 2006. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available October 24, 2006. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 06-2095. Filed for public inspection October 20, 2006, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Ann Chan and Hong TK Pham t/d/b/a Victoria Nails; Doc. No. 0487-45-06

On September 20, 2006, Ann Chan and Hong Tk Pham t/d/b/a Victoria Nails, cosmetology license No. CZ-115246-L, of Philadelphia, Philadelphia County, was assessed a civil penalty of \$250 for failing to comply with a disciplinary order of the State Board of Cosmetology (Board).

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final 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. 06-2096. Filed for public inspection October 20, 2006, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Nicole Hopkins t/d/b/a 100% U, Inc.; Doc. No. 0024-45-2006

On July 18, 2006, Nicole Hopkins t/d/b/a 100% U, Inc., of Philadelphia, Philadelphia County, was assessed a civil penalty of \$947, based on her operating an unlicensed cosmetology shop.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents 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. 06-2097. Filed for public inspection October 20, 2006, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Melinda DuClos; Doc. No. 1499-51-06; File No. 05-51-09546

Melinda DuClos of Carson City, Nevada and Philadelphia, Philadelphia County was denied a professional nursing license in this Commonwealth because of disciplinary action on her Nevada nursing license.

Individuals may obtain a copy of the adjudication by writing to Carole L. Clarke, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents 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, R. N., MS,  
*Chairperson*

[Pa.B. Doc. No. 06-2098. Filed for public inspection October 20, 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:

November 20, 2006	Lawrence Georgetti (D) (Service Transfer)	1 p.m.
November 21, 2006	Arthur Conn (D) (Change Retirement Option Selection)	1 p.m.
November 27, 2006	Lynn L. Fiedler (Multiple Service Election)	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. 06-2099. Filed for public inspection October 20, 2006, 9:00 a.m.]

## STATE REAL ESTATE COMMISSION

**Bureau of Professional and Occupational Affairs v.  
Christopher Santarelli; Doc. No. 0458-56-06, File  
No. 05-56-07622**

Christopher Santarelli, license no. RS-272560, of Leesport, Berks County, has been suspended for at least 3 years and until he can prove he is fit to practice for violating the terms of his Agreement.

Persons may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Real Estate Commission (Commission) decision in this matter. It may be appealed to the Commonwealth Court 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 of Pennsylvania must serve the Commission with a copy of the petition for review. The Commission contact for receiving service of the appeals is the previously named Commission counsel.

JOSEPH TARANTINO, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-2100. Filed for public inspection October 20, 2006, 9:00 a.m.]