

NOTICES

DEPARTMENT OF AGRICULTURE

Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice of the guidelines and conditions under which it will award up to \$750,000 in grants under the Year 2008 Dog Control Facility Bill Reimbursement Program (Program). The Program will award bill reimbursement grants of up to \$15,000 per recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this Program. The Program will be funded from the Dog Law Restricted Account from funds which are declared to be "surplus" funds for the limited purposes set forth in section 1002(b) of the Dog Law (3 P. S. § 459-1002(b)).

The proposed guidelines and conditions for the Program are set forth as follows.

In fulfillment in 7 Pa. Code § 23.4 (relating to conditions and guidelines), the Department invites public and legislative review of these proposed guidelines and conditions. Commentators should submit their comments, in writing, so they are received by the Department no later than 30 days from the date the proposed guidelines and conditions are published in the *Pennsylvania Bulletin*. Comments should be directed to Mary Bender, Director, Bureau of Dog Law Enforcement, Pennsylvania Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

The Department will review and consider all written comments in preparing the final guidelines and conditions for the Program. The final guidelines and conditions for the Program will be published in the *Pennsylvania Bulletin* after the close of the comment period referenced. The Department will invite the submission of grant applications at that time.

Proposed Guidelines and Conditions for the Year 2008 Dog Control Facility Bill Reimbursement Grant Program

1. Definitions.

The following words and terms, when used in these guidelines and conditions, have the following meanings:

Department—The Department of Agriculture.

Dog control—The apprehending, holding and disposing of stray or unwanted dogs, or as otherwise defined in section 102 of the Dog Law (3 P. S. § 459-102).

Eligible Bill—A document seeking payment for materials, services or utilities from a grant recipient, setting forth the following:

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.
- iii. If for materials, a description of the materials and the date of delivery. Invoices and/or receipts for materials must set forth or be accompanied by a written description of the intended use of the material and the date the material is used. Materials may not include computers,

computer equipment or software. Examples of eligible materials include the following:

- Cleaning supplies;
- Office supplies—typical supplies used to carry on daily office duties;
- Materials for building and repair projects; and
- Purchases of medication, needles, and the like.

iv. If for services, a description of the nature of the services and the dates upon which the services were rendered. Examples of services include the following:

- labor charges with respect to which the invoice details the exact service performed and the date of performance;
- veterinarian services with respect to which the invoice identifies the dog treated and the reason for the treatment. Veterinarian services may not include spay/neuter services; and
- cremation services with respect to which the invoice either verifies that only dogs were cremated or—in the event that animals other than dogs were cremated—separates the dogs from those other animals and identifies a charge attributable to only the cremation of the dogs.

v. If for utilities (such as electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility, for which payment is sought, was provided.

vi. The name, address and telephone number of the entity issuing the invoice or receipt.

Humane society or association for the prevention of cruelty to animals (SPCA)—A nonprofit society or association duly incorporated under 15 Pa.C.S. Chapter 53 Subchapter A (relating to incorporation generally) for the purpose of prevention of cruelty to animals, or as otherwise defined in section 102 of the Dog Law (3 P. S. § 459-102).

Program—The Year 2008 Dog Control Facility Bill Reimbursement Program.

2. Eligibility.

A humane society or association for the prevention of cruelty to animals is eligible to apply to receive a grant under the Program if that humane society or association for the prevention of cruelty to animals:

- a. Has been in operation for at least 1 year immediately preceding the application date.
- b. Has performed dog control functions for at least 1 year immediately preceding the application date.
- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.
- d. Is not a party to a contract with the Department pursuant to which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2007.
- e. Agrees—as a condition of receiving any grant money under the Program—to continue to perform dog control activities and to accept stray or unwanted dogs from the

Department's State Dog Wardens performing dog control functions, through the year 2008.

f. Has a valid Pennsylvania 2008 "Nonprofit" kennel license, and operates only a nonprofit kennel at the facility for which grant reimbursement is requested. Facilities which house kennel operations other than a nonprofit facility (that is, boarding kennel and/or commercial kennel) at the same location are not eligible to participate in this program.

g. If the Humane Society/SPCA has a total operating budget of \$350,000 or less for the 2008 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$350,000 or less for each fiscal year comprising any portion of calendar year 2008, the maximum grant amount will not exceed \$15,000.

h. If the Humane Society/SPCA has a total operating budget exceeding \$350,000 for the 2008 calendar year or, if its budget is on a basis of other than calendar year, has a total operating budget over \$350,000 for each fiscal year comprising any portion of calendar year 2008, the maximum grant amount will not exceed \$10,000.

3. *Use of Grant Funds.*

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement, and will not exceed \$15,000 with respect to any application.

The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2008, through December 31, 2008. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Any money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2008, or after December 31, 2008, that bill is not an eligible bill and will not be reimbursed by the Department under the Program. The sole exception to the prohibition set forth in the preceding sentence is as follows: If a bill covers materials, services or utilities provided in part in 2007 and in part in 2008, and the grant recipient was also a grant recipient under the Year 2007 Dog Control Facility Bill Reimbursement Program, the Department may, at its discretion, consider the bill an eligible bill.

4. *Application Process.*

a. *Application required.* A humane society or association for the prevention of cruelty to animals seeking a grant under the Program must complete a written application form and deliver it to the Department no later than 30 days from the date this notice is published in the *Pennsylvania Bulletin*. Applications received by the Department beyond that date will not be considered.

b. *Obtaining an application form.* The Department will provide grant application forms upon request. Requests for application forms should be directed to Mary Bender, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4833, fax (717) 772-4352.

c. *Contents of grant application form.* A grant application form shall require the following information:

i. The name and address of the applicant.

ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2.

iii. The maximum grant amount sought by the applicant—not to exceed \$15,000.

iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2007 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.

v. Verification that, in the event a grant is awarded, the applicant will continue to perform dog control activities, and to accept stray or unwanted dogs from the Department State Dog Wardens performing dog control functions, through the year 2008.

vi. Other information as the Department might reasonably require.

5. *Review and approval of grant application.*

a. *Review and notification.* The Department will review each timely grant application and provide the applicant written notification of whether the Department awards the grant, denies the grant or awards a grant in some amount less than the applicant sought. This written notification will be mailed no later than 60 days from the date the Bureau of Dog Law Enforcement receives the grant application, to the address provided by the applicant on the grant application form. If an application is incomplete or the Department requires additional information or documentation to evaluate the grant request, it will so advise the applicant within 60 days from the date it receives the grant application.

b. *Review criteria.* The Department will consider the following, among other factors, in determining whether to award a grant application:

i. The number of applications received and the availability of funds for the grants sought.

ii. The relative contribution of the applicant to dog control activities in the area it serves.

iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.

iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.

v. The expense or logistical difficulty the Department would encounter if the applicant's dog control facility was no longer in operation.

vi. The relative contribution of the applicant in terms of the number of stray or unwanted dogs it accepts from the Department's State Dog Wardens performing dog control functions.

6. *Grant agreement.*

a. *Grant agreement required.* A successful grant applicant must execute a grant agreement with the Department, setting forth the terms and conditions pursuant to which the grant money will be used by the Department to reimburse the grant recipient for payment of eligible bills.

b. *Reimbursement requests.* The grant agreement will set forth the exact procedure by which a grant recipient shall seek reimbursement from the Department for payment of eligible bills. The basic reimbursement request procedure will be as follows:

By May 15, 2008, the grant recipient will: (1) deliver copies of the eligible bills it has paid between January 1 and April 30, 2008; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By September 15, 2008, the grant recipient will: (1) deliver copies of the eligible bills it has paid between May 1 and August 31, 2008; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By January 15, 2009, the grant recipient will: (1) deliver copies of the eligible bills it has paid between September 1 and December 31, 2008; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

c. *Payment by the Department.* The Department will reimburse a grant recipient for eligible bills within 90 days of receiving a complete and timely reimbursement request.

d. *Termination.* The Department may terminate a grant agreement at any time by providing the grant recipient written notice of termination at the address set forth on the grant application.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 07-1286. Filed for public inspection July 20, 2007, 9:00 a.m.]

Order of Quarantine; Firewood

Recitals

A. The Plant Pest Act (act) (3 P. S. §§ 258.1—258.27) empowers the Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests in this Commonwealth.

B. The powers granted the Department under section 21 of the act (3 P. S. § 258.21) include the power to establish quarantines to prevent the spread of plant pests within this Commonwealth.

C. During the past 15 years, a number of exotic invasive species have been detected in the United States, having gained entry largely through human activities, mainly the movement of goods and people.

D. Asian Longhorned Beetle (ALB), Emerald Ash Borer (EAB), Sirex Wood Wasp and Bark Beetles are some of these recently detected exotic invasive species. These insects pose serious threats to this Commonwealth's agricultural and forestry resources.

E. EAB—a beetle indigenous to Asia—is a serious plant pest that attacks and kills ash trees belonging to the genus *Fraxinus*. This insect was first detected in the United States in summer, 2002, in Michigan. It is suspected that EAB was accidentally introduced years earlier on solid wood packing material used for crating imported goods. EAB has since been spread to other states, including Illinois, Indiana, Ohio, Maryland and Ontario, Canada. EAB has killed 20-25 million ash trees during

the short time it has been present in North America. EAB has recently been found in Butler County, PA, and is the subject of a Department-issued quarantine order affecting Allegheny, Beaver, Butler and Lawrence Counties.

F. ALB is another exotic pest from Asia. It has killed numerous hardwood trees in New York, New Jersey, Illinois and Ontario, Canada. Like the EAB, this insect was introduced into the United States in lumber used for crating goods imported from Asia.

G. The recent discovery of the Sirex Wood Wasp in New York and Pennsylvania, and the repeated interception of the Spruce Bark Beetle, *Ips typographus*, indicate these insects could affect this Commonwealth's pine resources.

H. The introduction of new plant pests into the United States has been driven, at least in part, by the increase of volume of imported goods entering the country and the decrease in the number of Federal staff to inspect goods at ports-of-entry. There is a need for more effective exclusion strategies as part of our country's phytosanitary programs. It is imperative that states be proactive in plant pest detection and prevention measures.

I. The presence of ALB and EAB in neighboring states has prompted concerns over human-assisted spread of these plant pests into this Commonwealth.

J. Eradication programs for ALB and EAB have cost States and the Federal government millions of dollars. In addition, municipalities and private landowners have absorbed costs for removing infested trees which are not eliminated by official eradication programs.

K. The economic impact of the hardwoods industry in this Commonwealth is valued at \$17 billion, and more than 2,500 companies employ 85,000 people in this important sector of the State's economy. The industry is a significant economic contributor in virtually every county and is the most significant manufacturing sector in some counties. Other industries such as horticulture and camping/tourism also could be impacted by these pests.

L. Currently there are no simple means to eradicate these pests other than removing and destroying infested trees. There is no effective insecticidal spray program or prophylactic treatment to protect ash trees from EAB infestation, or other hardwoods from attack by ALB. In North America, no effective natural enemies are present to suppress populations of these insects.

M. ALB and EAB have the potential to cause serious damage to the hardwood components of Pennsylvania's forest resources and to the horticultural industry, where Ash, Maple and other hardwoods are widely planted shade trees, both on private and public properties. These pests also would have a major impact on Pennsylvania's public lands, including state parks and private campgrounds.

N. In North America, ALB and EAB can be transported long distances by means of human activity, including the movement of infested firewood from regulated areas. Regulations on nursery stock and logs/lumber are in place and have controlled/limited movement of these commodities from areas where EAB and ALB are present.

O. Because eradication costs for these wood-feeding insects are extremely high, preventive measures should be employed wherever possible to stop/slow the spread of these insects in hopes that techniques can be developed to effectively manage them.

P. Very few regulations are in place to restrict movement of firewood, and yet firewood frequently has been implicated in the spread of both ALB and EAB.

Q. The United States Department of Agriculture's (USDA) recent expansion of its EAB quarantine to include the entire states of Ohio, Illinois and Indiana is partially the result of the rapid spread of EAB and the USDA's attempt to slow the spread of EAB.

Order

Under authority of section 21 of the Plant Pest Act (3 P. S. § 258.21) the Department hereby orders the following:

1. The movement of firewood of all types and species into this Commonwealth is prohibited. Firewood includes all wood, processed or unprocessed, coniferous or hardwood, meant for use in a campfire or other outdoor or indoor fire. This prohibition does not apply to the transportation of sawlogs, pulpwood or wood chips to facilities for processing into lumber, paper or manufactured wood products.

Examples of circumstances under which firewood from out-of-State is brought into this Commonwealth include instances where firewood is transported to public and private campgrounds by campers, or to sporting events and other events where travelers camp outdoors; or to activities such as Civil War reenactments where wood is used for cooking and evening campfires; or as bulk

firewood sold by the truckload or some other volume of measure (cord, face cord, rick, and the like), or as firewood purchased for indoor residential use.

2. Kiln-dried, packaged firewood clearly marked with the producer's name and address and labeled as "Kiln Dried" and/or USDA Certified are exempt from the provisions of this quarantine order.

3. Persons found in violation of this quarantine order will face the potential of summary criminal prosecution and a fine of not more than \$300 for each offense, or a civil penalty of up to \$20,000, or both.

4. The Department will consult with USDA, other state agencies and the Pennsylvania State University Cooperative Extension with respect to the most efficacious measures to survey for and detect ALB, EAB and other wood-feeding insects to slow the spread or eradicate these pests.

5. This quarantine is effective as of July 2, 2007, and shall remain in effect until repealed by subsequent order.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 07-1287. Filed for public inspection July 20, 2007, 9:00 a.m.]

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 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 July 10, 2007.

BANKING INSTITUTIONS

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-3-07	Quaint Oak Savings Bank Southampton Bucks County	Southampton	Effective
Conversion from a mutual savings bank to a stock savings bank.			

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-3-07	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	31 West Ridge Pike Royersford Montgomery County	Filed
7-10-07	The Community State Bank of Orbisonia Orbisonia Huntingdon County	354 Buchanan Trail McConnellsburg Fulton County	Filed
7-10-07	Wilmington Trust of Pennsylvania Villanova Delaware County	One East Broad Street Suite 510 Bethlehem Northampton County	Filed
7-10-07	Mid Penn Bank Millersburg Dauphin County	2101 Market Street Camp Hill Cumberland County	Approved
7-10-07	First Commonwealth Bank Indiana Indiana County	Corner of Perry Highway and Pine Creek Road McCandless Township Allegheny County	Approved

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<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-10-07	First Commonwealth Bank Indiana Indiana County	Corner of Freedom Road and Patriot Drive Cranberry Township Butler County	Approved
7-10-07	First Commonwealth Bank Indiana Indiana County	339 Mansfield Avenue Greentree Allegheny County	Approved

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-18-07	Republic First Bank Philadelphia Philadelphia County	<i>To:</i> 333 City Avenue Bala Cynwyd Montgomery County <i>From:</i> 4190 City Avenue Philadelphia Philadelphia County	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

VICTORIA A. REIDER,
Acting Secretary

[Pa.B. Doc. No. 07-1288. Filed for public inspection July 20, 2007, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August 2007

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 August 2007 is 7 3/4%.

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 such individual owns and which such individual occupies or has occupied as his 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 5.20 to which was added 2.50 percentage points for a total of 7.70 that by law is rounded off to the nearest quarter at 7 3/4%.

VICTORIA A. REIDER,
Acting Secretary

[Pa.B. Doc. No. 07-1289. Filed for public inspection July 20, 2007, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0053473	Thornbury Township 6 Township Drive Cheyney, PA 19319-1019	Delaware County Thornbury Township	Chester Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0062723	Sunoco Partners Marketing & Terminals, LP Fullerton Terminal 525 Fritztown Road Sinking Spring, PA 19608	Whitehall Township Lehigh County	UNT to Lehigh River 02C	Y
PA0035611 (Minor Sewage)	Department of Transportation P. O. Box 3060 Harrisburg, PA 17105-3060	Lenox Township Susquehanna County	UNT of East Branch Tunkhannock Creek 4F	Y
Draft permit contains Chesapeake Bay Nutrient Monitoring Requirements.				
PA0062332 (Sewage)	Eaton Sewer & Water Company, Inc. P. O. Box 316 Nicholson, PA 18446	Wyoming County Eaton Township	North Branch Susquehanna River 04G	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0082589 (SEW)	Fairview Township Authority 599 Lewisberry Road New Cumberland, PA 17070-2399	York County Fairview Township	UNT Fishing Creek 7/E	Y
PA0084492 (SEW)	Larry, Janet, Carl and Mary Strohecker—Strohecker MHP 615-A Dunkle School Road Halifax, PA 17032-9455	Dauphin County Halifax Township	UNT Susquehanna River 6/C	Y
PA00808379 (SEW)	Conodoguinet Mobile Estates P. O. Box 175 Newville, PA 17241	Cumberland County Lower Mifflin Township	Conodoguinet Creek 7/B	Y
PA0087335 (SEW)	Broad Top Township— Kearney Village 187 Municipal Road P. O. Box 57 Defiance, PA 16633-0057	Bedford County Broad Top Township	Longs Run 11/D	Y
PA00873431 (SEW)	Broad Top Township— Langdondale 187 Municipal Road P. O. Box 57 Defiance, PA 16633-0057	Bedford County Broad Top Township	Sandy Run 11/D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0114880 (Nonmunicipal)	Church of Christ of Latter Day Saints P. O. Box 483 Hollidaysburg, PA 16648	Columbia County North Centre Township	UNT to West Branch Briar Creek 5D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0238759	Nancy Jane Oesterling 454 Keck Road Butler, PA 16002-1098	Summit Township Butler County	UNT to Bonnie Brook 20-C	Y

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

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

PA0058408, Sewage, SIC 4952, **New Life Youth and Family Services Sewage Treatment Plant**, 585 Freeman School Road, Schwenksville, PA 19473. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Proposed Activity: This application is for an existing sewage treatment facility.

The receiving stream, UNT to 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 intake/supply is Pennsylvania American's Water Filtration Plant and is approximately 18 miles downstream on the Schuylkill River.

The effluent limits for Outfall 001 are based on a design flow of 22,500 gpd.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instantaneous Average Weekly
	Average Monthly	Average Weekly	Average Monthly	Average Monthly	
CBOD ₅ (5-1 to 10-31)			10		20
(11-1 to 4-30)			20		40
Total Suspended Solids			30		60
Fecal Coliform			200/100 ml		1,000/100 ml
Dissolved Oxygen			6.0 (Minimum)		
pH (Standard Unit)			6.0 (Minimum)		9.0 (Maximum)
Ammonia as N (5-1 to 10-31)			1.5		3.0
(11-1 to 4-30)			4.5		9.0
Phosphorus as P (4-1 to 10-31)			2.0		

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

1. Discharge must not cause nuisance or health hazard.
2. Sludge disposal according to State and Federal regulations.

The EPA waiver is in effect.

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

PA0020940, Sewage, **Tunkhannock Borough Municipal Authority**, 203 West Tioga Street, Tunkhannock, PA 18657-6655. This proposed facility is located in Tunkhannock Borough, **Wyoming County**.

Description of Proposed Activity: Renewal of an NPDES Permit.

The receiving stream, Tunkhannock Creek, is in the State Water Plan Watershed No. 4F and is classified for: CWF. The nearest downstream public water supply intake for Danville Borough Water Authority is located on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.300 mgd.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
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	
pH		6.0 to 9.0 Standard Units at all times.	
Total Residual Chlorine	1.0		2.0
Ammonia Nitrogen		Monitor and Report	
Kjeldahl Nitrogen		Monitor and Report	
Nitrite-Nitrate as N		Monitor and Report	
Total Nitrogen		Monitor and Report	
Total Phosphorus		Monitor and Report	

In addition to the effluent limits, the permit contains the following major special conditions: Chesapeake Bay Nutrient Requirements.

PA0063428-A1, Sewage, **Tuthill Corporation (Blue Mountain Ski Area)**, P. O. Box 216, Palmerton, PA 18071-0216. This proposed facility is located in Lower Towamensing Township, **Carbon County**.

Description of Proposed Activity: NPDES permit renewal for an expanded discharge.

The receiving streams, Aquashicola and Buckwha Creeks, are in the State Water Plan Watershed No. 2B and are classified for: TSF and HQ-CWF, respectively. The nearest downstream public water supply intake for Northampton Borough Water Authority is located on the Lehigh River over 17 miles below the point of discharge.

The proposed effluent limits for Outfall 001 into the Buckwha Creek is based on a design flow of 0.050 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0		50.0
Total Suspended Solids	30.0		60.0
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH		6.0 to 9.0 Standard Units at all times.	
Total Residual Chlorine	1.2		2.8

The proposed effluent limits for Outfall 002 into Aquashicola Creek is based on a design flow of 0.300 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0		50.0
Total Suspended Solids	30.0		60.0
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH		6.0 to 9.0 Standard Units at all times.	
Total Residual Chlorine	1.0		3.2

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

Application No. PA0054852, Industrial Waste, SIC Code 4953, **WBLF Acquisitions, LLC**, 256 Eagle View Boulevard, Exton, PA 19341. This facility is located in Cumru Township, **Berks County**.

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

The receiving stream, Schuylkill River, is in Watershed 3-C, and classified for: WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Borough of Pottstown Water and Sewer Authority located on the Schuylkill River, approximately 15 miles downstream. The discharge is not expected to affect the water supply.

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

<i>Parameter</i>	<i>Average Monthly</i>	<i>Minimum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report	Monitor and Report			
pH (Standard Units)				6.0 to 9.0	
TSS	Monitor and Report	Monitor and Report	27	60	75
BOD	Monitor and Report	Monitor and Report	37	140	175
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200 2,000		
NH ₃ -N	Monitor and Report	Monitor and Report	5		10
Total Residual Chlorine			0.5		2.5
Total Zinc	Monitor and Report	Monitor and Report	0.11	0.275	0.275
Phenol	Monitor and Report	Monitor and Report	0.015	0.037	0.037
Total PCB	0.00016	0.00031	0.00047	0.0017	0.0017
p-Cresol	Monitor and Report	Monitor and Report	0.014	0.035	0.035
Alpha Terpineol	Monitor and Report	Monitor and Report	0.016	0.04	0.04
Benzoic Acid	Monitor and Report	Monitor and Report	0.071	0.177	0.177
TDS	1,605	3,210	7,700	19,250	19,250

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.

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

PA0217603, Sewage, **Cumberland Coal Resources, LP**, P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370. This application is for renewal of an NPDES permit to discharge treated sewage from Cumberland Mine Bathhouse STP in Whiteley Township, **Greene County**.

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

Outfall 022: existing discharge, design flow of 0.03 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅				
(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)	2.2			4.4
(11-1 to 4-30)	4.9			9.8
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	0.04			0.10
Dissolved Oxygen		not less than 6 mg/l		
pH		not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

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

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

WQM Permit No. 1507202, Industrial, **Walton Farms**, 42 Walton Road, Cochranville, PA 19330. This proposed facility is located in West Fallowfield Township, **Chester County**.

Description of Action/Activity: Construction and operation of 2 HDPE lined manure storage structures.

WQM Permit No. 0907406, Sewerage, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940. This proposed facility is located in Upper Makefield Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a wastewater treatment facility.

WQM Permit No. 4607405, Sewerage, **Lower Moreland Township Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006-6234. This proposed facility is located in Lower Moreland Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a combination gravity and low pressure sewer system.

WQM Permit No. 4607406, Sewerage, **Lower Moreland Township Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006-6234. This proposed facility is located in Lower Moreland Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a gravity sanitary sewer extension.

WQM Permit No. 1507405, Sewerage, **Avon Grove School District**, 375 Kelton-Jennersville Road, West Grove, PA 19390. This proposed facility is located in New London Township, **Chester County**.

Description of Action/Activity: Install a sodium aluminate feed system to remove phosphorus and installation of an automatic soda ash feed system.

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

WQM Permit No. 4407401, Sewerage, **Newton-Wayne Joint Municipal Authority**, 3055 Ferguson Valley Road, McVeytown, PA 17051. This proposed facility is located in Newton Hamilton/Kistler Boroughs and Wayne Township, **Mifflin County**.

Description of Proposed Action/Activity: Application for construction/operation for a sewage collection system and pump station project of approximately 60,000 LF of sanitary sewer mains and three pumping stations to serve various locations within the boroughs and township.

WQM Permit No. 2807201, CAFO, **Stoner's Hijos Hill, Inc.**, 8512 Oellig Road, Mercersburg, PA 17236. This proposed facility is located in Peters Township, **Franklin County**.

Description of Proposed Action/Activity: Application for construction/operation of a new circular concrete manure storage structure.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907017	Michael Seislove Macungie Management, Inc. 3261 Route 100 Suite 100 Macungie, PA 18062	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF Swabia Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032807005	Terra, LLC 2200 Monroe Street York, PA 17404	Franklin	Guilford Township	UNT to Falling Spring Branch HQ-CWF
PAI032807006	Craig Nitterhouse 900 Kriner Road Suite 1 Chambersburg, PA 17201	Franklin	Guilford Township	Falling Spring 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**

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

Permit No. 1507505, Public Water Supply.

Applicant	PA American Water Company
Township	East Vincent
County	Chester
Responsible Official	David R. Kauffman 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	E. Kuser, Inc. 150 Grings Hill Road Sinking Spring, PA 19608
Application Received Date	July 2, 2007
Description of Action	A modification of existing coagulation system.

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

Permit No. 6707507, Public Water Supply.

Applicant **Glen Rock Water Authority**
Municipality Shrewsbury Borough
County **York**
Responsible Official Glen Rock Water Authority
Director of Administration
P. O. Box 205
Glen Rock, PA 17327
Type of Facility Public Water Supply
Consulting Engineer Peter Lusardi, P. E.
CET Engineering Services
1240 North Mountain Road
Harrisburg, PA 17112
Application Received: July 2, 2007
Description of Action Corrosion control, phosphate sequestration.

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

Application No. 2507503, Public Water Supply.

Applicant **Saint Boniface School**
Township or Borough Greene Township
Erie County
Responsible Official Rev. John M. Schultz, Pastor
Consulting Engineer Mark J. Corey & Associates
5845 Jordan Road
Erie, PA 16510
Application Received Date June 29, 2007
Description of Action Installation of Greensand filtration, finished water storage tanks and booster pumps to correct arsenic mcl.

Application No. 2507502, Public Water Supply.

Applicant **Wattsburg Borough Water Treatment Plant**
Township or Borough Wattsburg Borough
Erie County
Responsible Official Richard E. Kreider, Operator
Consulting Engineer Steven R. Halmi, P. E.
Project Engineer
Deiss & Halmi Engineering
105 Meadville Street
Edinboro, PA 16412
Application Received Date June 29, 2007
Description of Action Modification of treatment to add ion exchange for arsenic adsorption and discontinuing sequestration for iron and manganese.

Application No. 2007504-C, Public Water Supply.

Applicant **Guys Mills Mutual Water Association**
Township or Borough Guys Mills Borough
Crawford County

Responsible Official Brian Kirberger, Operator
Consulting Engineer Steven R. Halmi, P. E.
Project Engineer
Deiss & Halmi Engineering
105 Meadville Street
Edinboro, PA 16412

Application Received Date June 29, 2007

Description of Action Relocation of chlorination point to eliminate discharge of chlorinated water and addition of corrosion control treatment for copper.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 6507507MA, Minor Amendment.

Applicant **Municipal Authority of Westmoreland County**
P. O. Box 730
Greensburg, PA 15601
Township or Borough Ligonier Township
Responsible Official John Ashton, Operations Manager—Production
Municipal Authority of Westmoreland County
P. O. Box 730
Greensburg, PA 15601
Type of Facility Furnace Run water treatment plant
Consulting Engineer
Application Received Date July 2, 2007
Description of Action Addition of a settled water turbidimeter and finished water turbidimeter, addition of a new chlorine analyzer on the finished water, replace one chlorinator and add another, and install a chlorine gas monitor.

Application No. 0407506MA, Minor Amendment.

Applicant **Beaver Falls Municipal Authority**
1425 8th Avenue
P. O. Box 400
Beaver Falls, PA 15010
Township or Borough West Mayfield Borough
Responsible Official James Stevenson, Production Manager
Beaver Falls Municipal Authority
1425 8th Avenue
P. O. Box 400
Beaver Falls, PA 15010
Type of Facility Water treatment plant

Consulting Engineer Michael Baker Jr., Inc.
4301 Dutch Ridge Road
Beaver, PA 15009

Application Received July 2, 2007
Date

Description of Action Change in supplemental
disinfection from chlorine gas to
liquid hypochlorite.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional

office before which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Twin Silo Farm, Plumstead Township, **Bucks County**. Jeffery Walsh, Penn Env. & Remediation Inc., 2755 Bergery Road, Hatfield, PA 19440 on behalf of Jonathan Reiss, Plumstead Township, 5186 Sump Road, Plumsteadville, PA 18949 has submitted a Notice of Intent to Remediate. Soil and groundwater at site has been impacted by release of No. 2 fuel oil. The future use of the site will remain the same.

Yang Property, City of Philadelphia, **Philadelphia County**. Phil Gray, Phoenix Geoenvironmental, LLC, 445 Bethlehem Pike, Suite 108, Colmar, PA 18915 on behalf of Hang Yang, c/o Aarch Realty, LLC, 1001 South 11th Street, Philadelphia, PA 19147 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted by release of MTBE, other organics. Anticipated future use for the property is commercial. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Public Record* on June 28, 2007.

Rite Aid, Pennsburg Borough, **Montgomery County**. Steve Worlsey, Kane Env., 3831 Stone Way North, Settle, WA 98103 on behalf of Ray Renner, Gundaker Commercial Group, 100 Chesterfield Business Parkway, Suite 300, St. Louis, MO has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of No. 2 fuel oil. The future use of the site will remain the same.

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

Former Universal-Rundle Corporation, Taylor Township, **Lawrence County**. ENVIRON International Corporation, 214 Carnegie Center, Princeton, NJ 08540 on behalf of Newcastle Real Estate Holdings, LLC, 372 Rundle Road, New Castle, PA 16102 has submitted a Notice of Intent to Remediate. The results of previous investigations identified constituents (primarily metals) in soil and groundwater at concentrations above the Residential/Nonresidential soil to groundwater MSCs for soils in used aquifers and above the Residential/Nonresidential groundwater MSCs for used aquifers, respectively. In addition, stained soil was identified adjacent to a former paint spray booth. Constituent concentrations in soil and groundwater above the Statewide Health MSCs are most likely related to historical manufacturing activities and or related to regional fill material at the Site. Notice of the NIR was published in *The New Castle News* on April 21, 2007.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Renewal Applications Received

Bio-Haz Solutions, Inc., 531 Seneca Road, P. O. Box 420, Lehigh, PA 18235. License No. PA-HC 0191. Received on May 31, 2007.

Carlucci Construction Co., Inc., 401 Meadow Street, Cheswick, PA 15024. License No. PA-HC 0015. Received on June 11, 2007.

BioMedical Waste Services, Inc., 7833 Golden Pine Circle, Severn, MD 21226. License No. PA-HC 0226. Received on June 11, 2007.

Sterilogic Waste Systems, Inc., 6691 Pickard Drive, Syracuse, NY 13211. License No. PA-HC 0208. Received on June 20, 2007.

**OPERATE WASTE PROCESSING
OR DISPOSAL AREA OR SITE**

Determination of Applicability deemed 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. WMGR111NC-001. PPL Montour, LLC, 2 North 9th Street, Allentown, PA 18101-1139, for the Reading Anthracite site located in Coal Township, **Northumberland County**. The application for Determination of Applicability for General Permit WMGR111 was deemed complete by the Williamsport Regional Office on June 25, 2007.

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.

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

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

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

46-0264: Caddick Construction Co., Inc. (P. O. Box 179, Ambler, PA 19002) for installation of a nonmetallic mineral crushing and processing plant in Whitemarsh Township, **Montgomery County**. The facility is a State-only facility. The facility wide PM emission limit will be less than 7 tpy and NOx emissions will be less than 8 tpy. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

01-05017E: Quebecor World Fairfield, Inc. (100 North Miller Street, Fairfield, PA 17320) for construction of a 4-unit double web heatset offset lithographic printing press at their Fairfield Plant in Fairfield Borough, **Adams County**. The source has the potential to emit 9.9 tons VOC per year. The plan approval and subsequent State-only operating permit administrative amendment will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

06-05069M: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536) for construction and modification of additional equipment to manufacture lead/acid batteries and the installation of two fabric collectors to control both the new equipment and existing units in the assembly plant A-2 in Richmond Township, **Berks County**. The sources are subject to 40 CFR Part 60, Subpart KK, Standards of Performance for New Stationary Sources. The net change in emissions will be minor in significance. The plan approval will include monitoring, work practices, testing, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility is presently covered by the Title V operating permit application No. 06-05069. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450 (relating to administrative amendment).

07-03051A: Sheetz Distribution Services, LLC (Sheetz Way, R. D. 1, Box 587, Claysburg, PA 16625) for construction of a food preparation facility which includes baking ovens and donut fryers in Greenfield Township, **Blair County**. Estimated potential facility-wide VOC emissions are less than 50 tpy. This is a non-Title V State-only facility. The approval will include monitoring, work practice standards, recordkeeping, reporting requirements and operating restrictions to keep the facility operating within all applicable air quality requirements.

22-05053A: McDermitt Concrete, Inc. (P. O. Box 3219, Gettysburg, PA 17325) for construction of a hot mix batch asphalt plant controlled by a fabric collector at its Fiddler's Elbow Plant in Lower Swatara Township, **Dauphin County**. The asphalt plant is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities. Based on an asphaltic concrete production limit of 432,000 tons during any consecutive 12-month period, the facility has the following annual potential emissions: 34 tons CO, 16 tons NO_x, 12 tons VOC, 7 tons PM₁₀ and 1 ton SO_x.

The following is a summary of the special conditions the Department of Environmental Protection (Department) proposes to place in the plan approval to ensure compliance with all applicable air quality requirements:

1. The batch asphalt plant must comply with all provisions of 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.
2. The concentration of CO in the batch asphalt plant's fabric collector's effluent gas shall not exceed 200 ppmvd (corrected to 15% oxygen).
3. The concentration of NO_x in the batch asphalt plant's fabric collector's effluent gas shall not exceed 60 ppmvd (corrected to 15% oxygen).
4. The concentration of VOC in the batch asphalt plant's fabric collector's effluent gas shall not exceed 30 ppmvd (corrected to 15% oxygen; measured as propane).
5. PM emissions from the batch asphalt plant's fabric collector exhaust shall not exceed 0.021 grain per dry standard cubic foot.
6. The permittee shall conduct a performance test (EPA Reference Methods 5 and 202) to determine PM emissions (filterable and condensable) as per 25 Pa. Code Chapter 139 of the rules and regulations of the Department.
7. The permittee shall operate the batch asphalt plant using either natural gas or propane fuel only.
8. The permittee shall limit the batch asphalt plant's annual asphaltic concrete production to 432,000 tons during any consecutive 12-month period.

The plan approval and subsequent State-only operating permit will include additional emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-03143A: ESAB Welding & Cutting Products (1500 Karen Lane, Hanover, PA 17331) for construction of a flux powder operation controlled by a fabric collector at their welding equipment manufacturing facility in Hanover Borough, **York County**. The source has the potential to emit 0.4 ton PM₁₀ per year. The plan approval and subsequent State-only operating permit administrative amendment will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality 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.

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

53-00001: Tennessee Gas Pipeline Co. (1001 Louisiana Street, Houston, TX 77002) for renewal of the Title V Operating Permit for their Coudersport facility in Hebron Township, **Potter County**. The facility's sources include 12 reciprocating internal combustion engines, 14 storage tanks, three water heaters, three space heaters, two furnaces, three parts washers, one auxiliary generators, one jacket water heater, one fire water tank burner and associated pipeline flanges and valves, which have the potential to emit major quantities of NO_x, CO and HAPs. The facility has the potential to emit, VOCs, PM/PM₁₀, and SO_x below the major emission thresholds. The ten rich-burn engines (Source IDs P101 through P110) are subject to Compliance Assurance Monitoring (CAM) requirements specified in 40 CFR 64.1—64.10 and Subpart ZZZZ of the National Emission Standards for Hazardous Air Pollutants for Source Categories, 40 CFR 63.6580—63.6675. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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 Jurdon Brown, Facilities Permitting Chief, (484) 250-5920.

46-00107: ITW Philadelphia Resins (130 Commerce Drive, Montgomeryville, PA 18936) for manufacturing of a variety of adhesives and specialty coatings for industrial and marine applications in Montgomery Township, **Montgomery County**. This action is a renewal of the State-only Operating Permit. The initial permit was issued on July 5, 2002.

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

35-00057: Finch Hill Veterinary Clinic (436 Route 106, Greenfield Township, PA 18407) for operation of an animal crematory in Greenfield Township, **Lackawanna County**. This facility is currently operating under Oper-

ating Permit 35-301-039. All requirements of the current Operating Permit will be incorporated into a new State-only (Natural Minor) Operating Permit. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

28-03027: Kurdziel Industrial Coatings Co. (9473 Lincoln Way West, St. Thomas, PA 17252) for operation of their finish paint facility in St. Thomas Township, **Franklin County**. The State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit issued in 2002.

28-05020: T. B. Woods, Inc. (440 North Fifth Avenue, Chambersburg, PA 17201) for operation of their gray and ductile iron foundry in Chambersburg Borough, **Franklin County**. The State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit issued in 2001.

67-02014A: The York Group, Inc. (2880 Blackbridge Road, York, PA 17402) for operation of their wood casket manufacturing facility in Manchester Township, **York County**. The Reasonably Available Control Technology (RACT) operating permit involves the revision of The York Group's RACT Plan and subsequent amendment to the State Implementation Plan (SIP). The proposed SIP revision does not adopt any new regulations. The RACT operating permit incorporates emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements for the significant VOC sources at the facility.

67-03094: Del-Wood Kitchens, Inc. (1856 Dubs Church Road, Hanover, PA 17331) for operation of their wood kitchen cabinet manufacturing facility in Manheim Township, **York County**. The State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit issued in 2002.

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

12-00004: GE Transportation Systems—Motor Coils (55 Pine Street Emporium, PA 15834) for manufacturing of motor coils for locomotive engines at their facility in the Borough of Emporium, **Cameron County**. The facilities sources consist of one red rubber surface coating line, one natural gas-fired coil burnout oven, one vacuum impregnation and surface coating operations, one large motor coil spray booth and space heaters. This facility has the potential to emit PM/PM10, NOx, SOx, VOC and CO below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

49-00047: Furman Foods (P. O. Box 500, Northumberland, PA 17857-0502) for renewal of the operating permit for their facility in Point Township, **Northumberland County**. The facility is a manufacturer of canned vegetable products. The facility has the potential to emit major quantities of SOx from two natural gas/No. 2 fuel oil-fired boilers and one No. 2 fuel oil fired boiler. The facilities other sources consists of six solvent-based degreasing, parts-washing stations, one waste oil burner, one emergency generator and natural gas-fired space heaters. The facility has taken an elective yearly restriction not to exceed the major threshold for SOx. The facility has the potential to emit PM/PM10, NOx, VOCs, CO and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

17-00049: Kurtz Brothers, Inc. (400 Reed Street, Clearfield, PA 17001) for manufacturing of stationary products for their facility in the Borough of Clearfield, **Clearfield County**. The facility has the potential to emit major quantities of SOx from two coal-fired boilers. The facilities other sources consist of five printing presses and two padder machines. The facility has taken an elective yearly restriction not to exceed the major threshold for SOx. The facility has the potential to emit PM/PM10, NOx, VOCs, CO and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

14-00035: EBY Paving & Construction, Inc. (1001 East College Avenue, Bellefonte, PA 16823) for manufacturing of hot mix asphalt for road and paving construction at their facility in Spring Township, **Centre County**. The facility's sources include one aggregate dryer; hot mix asphalt plant and three storage tanks and one solvent based parts cleaning station. These sources have the potential to emit PM/PM10, NOx, SOx, CO, VOCs and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

49-00038: F. B. Leopold Co., Inc. (P. O. Box 128, Watsontown, PA 17777) for their coal drying, sizing and packaging facility in Delaware Township, **Northumberland County**. The facilities main sources include a fluid bed dryer, conveying, packaging, screening and storage equipment. These sources have the potential to emit PM/PM10, NOx, SOx, CO, VOCs and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

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 ¹		greater than 6.0; less than 9.0	

Alkalinity greater than acidity¹

¹The 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.

Permit No. 30831303 and NPDES Permit No. PA0013511, Cumberland Coal Resources, LP (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine in Whiteley Township, **Greene County** to install 11 ventilation boreholes. Surface Acres Proposed 2.39. No additional discharges. Application received April 16, 2007.

Permit No. 56851303 and NPDES Permit No. PA0215350, RoxCOAL, Inc. (P. O. Box 149, Friedens, PA 15541), to renew the permit for the Barbara Nos. 1—2 Mines in Stoneycreek and Brothersvalley Townships, **Somerset County** and related NPDES permit. No additional discharges. Application received January 31, 2007.

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

32990109 and NPDES No. PA0235148. Walter L. Houser Coal Company, Inc. (12968 US Route 422, Kittanning, PA 16201), revision of an existing bituminous

surface auger mine adding acreage for mining in Washington Township, **Indiana County**, affecting 56.9 acres. Receiving streams: UNTs to/and Sugarcamp Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 3, 2007.

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

65020102 and NPDES Permit No. PA0250112. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal application for reclamation only to an existing bituminous surface mine, located in East Huntingdon Township, **Westmoreland County**, affecting 144.4 acres. Receiving stream: UNT to Sherrick Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received June 25, 2007.

65980105 and NPDES Permit No. PA0202363. Gary Gioia Coal Company (319 Karen Drive, Elizabeth, PA 15037). Renewal application for commencement, operation and reclamation of a bituminous surface mine, located in Rostraver Township, **Westmoreland County**, affecting 28.8 acres. Receiving stream: UNT to the Monongahela River, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: Authority of the Borough of Charleroi. Renewal application received June 26, 2007.

02823014 and NPDES Permit No. PA0617661. Set-ler's Ridge, LP (800 South Street, Suite 395, Waltham, MA 02453). Application received for transfer of permit currently issued to Xecol Corporation for continued operation and reclamation of a bituminous surface mining site located in Robinson Township, **Allegheny County**, affecting 0.321 acre. Receiving streams: Campbells Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Transfer application received June 14, 2007.

63070102 and NPDES Permit No. PA0251186. Oxford Mining Company (544 Chestnut Street, P. O. Box 427, Coshocton, OH 43812). Application for commencement, operation and reclamation of a bituminous surface mine, located in Jefferson Township, **Washington County**, affecting 99.7 acres. Receiving streams: UNTs to Scott 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 June 27, 2007.

03900112 and NPDES Permit No. 0003191. Canterbury Coal Company (125 Old Farm Drive, Pittsburgh, PA 15239). Renewal application for reclamation only of an existing bituminous surface mine, located in Kiskiminetas Township, **Armstrong County**, affecting 81.7 acres. Receiving stream: UNT to Long Run, classified for the following use: WWF. There is no potable water

supply intake within 10 miles downstream from the point of discharge. Renewal application received July 2, 2007.

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

54970101R2 and NPDES Permit No. PA0223832. Premium Fine Coal, Inc. (P. O. Box 2043, Hazleton, PA 18201), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Schuylkill Township, **Schuylkill County** affecting 632.0 acres, receiving stream: Schuylkill River. Application received July 5, 2007.

Noncoal Applications Returned

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

33050107 and NPDES Permit No. PA0258059. Fair-view Coal Company (P. O. Box R, Ridgway, PA 15853) Commencement, operation and restoration of a bituminous strip operation in Snyder Township, **Jefferson County** affecting 28.8 acres. Receiving streams: UNT to Little Toby Creek and UNT to Walburn Run and Walburn Run. Application received November 2, 2005. Application withdrawn July 2, 2007.

Noncoal Applications Received

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

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

*The parameter is applicable at all times.

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

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

7574046 and NPDES Permit No. PA0613029. Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201), renewal of NPDES Permit, Southampton Township, **Cumberland County**, affecting UNT to Bulls Head Branch classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 2, 2007.

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

09070301. Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474), commencement, operation and restoration of a quarry operation in Hilltown Township, **Bucks County** affecting 83.0 acres, receiving stream: UNT to Neshaminy Creek, classified for the following use: WWF. Application received June 28, 2007.

58040840. Maurice Diaz (P. O. Box 623, New Milford, PA 18834), Stages I and II bond release from a quarry

operation in Dimock Township, **Susquehanna County** on property owned by Brian Severcool. Application received July 2, 2007.

Noncoal Applications Withdrawn

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

66060301. Noxen Sand & Materials (2162 Chase Road, Shavertown, PA 18708), commencement, operation and restoration of a quarry operation in Noxen Township, **Wyoming County** affecting 55.0 acres, receiving stream: none. Application received November 27, 2006. Application withdrawn July 3, 2007.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of

the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E48-375. Anthony DeFranco, 1498 Ackermanville Road, Bangor, PA 18013, in Washington Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 30-inch diameter stormwater outfall structure in Waltz Creek (HQ-CWF) for the purpose of conveying stormwater from a proposed 58-lot residential subdivision, known as Glacier Pointe, directly to the stream. The project is located south of the intersection of Flicksville and Ackermanville Roads (Bangor, PA Quadrangle N: 16.0 inches; W: 12.0 inches).

E40-669. KD Land, LLC, 114 Back Street, Centre Hall, PA 18628, in Plains Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To remove the existing temporary structure and to construct and maintain a private road crossing consisting of a single lane bridge having a single span of approximately 45 feet and underclearance of approximately 5.5 feet across Mill Creek (CWF). The project is located 0.25 mile upstream of the Pennsylvania Turnpike Bridge (Pittston, PA Quadrangle N: 1.0 inch; W: 2.0 inches).

E39-479. Eastern Environmental Development, Inc., 7785 Spring Creek Road, Macungie, PA 18062, in Lower Macungie Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To fill and abandon quarry having a surface area of approximately 1.34 acres. The project is located on the

northwest side of Quarry Road approximately 0.7 mile southwest of its intersection with SR 01011 (Allentown West, PA Quadrangle N: 4.0 inches; W: 14.5 inches).

E45-503. DEPG Bartonsville Associates, LP, Plymouth Corporate Center, 625 Ridge Pike, Suite A-107, Conshohocken, PA 19428, in Stroud Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

The project will result in the placement of fill in 0.43 acre of wetlands and 0.24 acre of waterways for the purpose of constructing a shopping center and a hotel that will create 17.5 acres of disturbance. The project is located 0.25 mile south on SR 0611 from the Bartonsville Interchange of I-80 (Saylorsburg, PA Quadrangle N: 22.25 inches; W: 2.0 inches).

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

E06-624. Robeson Woods LP/Robeson Woods, W. Joseph Duckworth, 100 West Lancaster Avenue, Suite 102, Wayne, PA 19087, Robeson Township, **Berks County**, ACOE Philadelphia District

To construct and maintain: (1) A 12.0-inch DIP water main, a 12.0-inch DIP sewer main, and a 20.0-inch steel casing utility line crossings impacting 40.0-feet of Hay Creek (EV-CWF) (Morgantown, PA Quadrangle N: 12.25 inches; W: 14.92 inches, Latitude: 40° 11' 32"; Longitude 75° 53' 35"); (2) a 12.0-inch DIP water main, and a 12.0-inch DIP sewer main utility line crossings impacting 25.0-feet of a UNT to Hay Creek (EV-CWF) (Morgantown, PA Quadrangle N: 12.20 inches; W: 14.92 inches, Latitude: 40° 11' 31"; Longitude 75° 53' 35"); (3) a 12.0-inch DIP water main and a 6.0-inch DIP Sewer force main utility crossings impacting 30.0-feet of a UNT to Hay Creek (EV-CWF) (Morgantown, PA Quadrangle N: 11.80 inches; W: 15.15 inches, Latitude: 40° 11' 23"; Longitude 75° 53' 29"); and (4) a 12.0-inch DIP water main and a 6.0-inch sewer force main to be installed in a previously filled wetland area under an existing culvert impacting 25.0-feet of wetlands (Morgantown, PA Quadrangle N: 10.22 inches; W: 16.03 inches, Latitude: 40° 10' 52"; Longitude 75° 53' 06") all located in New Morgan Borough, Berks County. Also, (5) to fill in 485.0-feet of a UNT to Hay Creek (Morgantown, PA Quadrangle N: 12.43 inches; W: 15.05 inches, Latitude: 40° 11' 35"; Longitude 75° 53' 31"), and to construct and maintain (6) an 8.0-inch DIP sewer main impacting 26.0-feet of stream, and a 6.0-foot wide pedestrian bridge having a span of 20.0-feet and an underclearance of 4.0-feet impacting 20.0-feet of a UNT to Hay Creek (EV-CWF) (Morgantown, PA Quadrangle N: 12.88 inches; W: 15.02 inches, Latitude: 40° 11' 44"; Longitude 75° 53' 32"); and (7) a 15.0-foot by 4.0-foot open bottom culvert impacting 109.0-feet of stream, and a 15.0-inch storm sewer, an 8.0-inch DIP sewer main, and multiple other utility line crossings impacting 15.0-feet of a UNT to Hay Creek (EV-CWF) (Morgantown, PA Quadrangle N: 13.78 inches; W: 15.18 inches, Latitude: 40° 12' 02"; Longitude 75° 53' 23") all located in Robeson Township, Berks County.

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

E41-574. Williamsport Municipal Airport Authority, 700 Airport Road, Suite 204, Montoursville, PA 17754. Water Obstruction and Encroachment Permit Application, Runway Improvements and Floodway Impacts, in Montoursville Borough, **Lycoming County**, ACOE

Susquehanna River Basin District (Montoursville South, PA Quadrangle N: 41° 14' 19"; W: 76° 56' 05").

To construct and maintain a runway extension off existing Runway 9 approximately 400 feet wide by 800 feet long within the floodway and floodplain, to include floodway and floodplain excavation, within the Loyalsock Creek (CWF) watershed in Montoursville Borough, **Lycoming County**. The project proposes to impact approximately 0.50 acre jurisdictional wetlands.

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

E63-598. Michael R. and Georgetta V. Williamson, 1029 Nevada Street, Washington, PA 15301. To place and maintain fill in the floodway in Canton Township, **Washington County**, Pittsburgh ACOE District (Washington West, PA Quadrangle N: 12.68 inches; W: 6.22 inches, Latitude: 40° 11' 42"; Longitude: 80° 17' 40"). The applicant proposes to place and maintain fill in the floodway of a UNT to Wolfdale Run (WWF) for the purpose of constructing a Clubhouse Drive. The project includes

construction of a walking trail and an activity field in the floodway of Wolfdale Run in the proposed Brick Ridge Estates located along Jefferson Avenue (SR 884).

ENVIRONMENTAL ASSESSMENTS

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

EA22-015: Mark X. DiSanto, Triple Crown Corporation, 7700 Derry Street Project, 5351 Jaycee Avenue, Harrisburg, PA 17112, Swatara Township, **Dauphin County**, ACOE Baltimore District.

To: (1) restore 560 linear feet of a UNT to Beaver Creek (WWF) by removing an in-stream sediment basin by grading a channel through the impoundment and native plantings established in the floodway; and (2) construct and maintain two 18-inch and one 15-inch outfall structures with R-5 riprap rock aprons in the same UNT to Beaver Creek. The project is located approximately 360 feet west of Milroy Road in Swatara Township, Dauphin County (Harrisburg East, PA Quadrangle 40° 16' 2.2" N; 76° 45' 5.46" W).

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0034720	Lakeview Manor Estates 8775 Hemlock Street Meadville, PA 16335	Crawford County Union Township	Kebort Run 20-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0112631 (Nonmunicipal)	Allen Wargo 1746 Old Reading Road Catawissa, PA 17820	Columbia County Roaring Creek Township	UNT to Roaring Creek 5E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0026883 Sewage	City of Beaver Falls 715 15th Street Beaver Falls, PA 15010	Beaver County City of Beaver Falls	Beaver River	Y
PA0095982 Sewage	Albert Gallatin Area School District 2625 Morgantown Road Uniontown, PA 15401	Fayette County German Township	UNT of North Branch Browns Run	Y
PA0095907 Sewage	Albert Gallatin Area School District 2625 Morgantown Road Uniontown, PA 15401	Fayette County German Township	UNT of North Branch Browns Run	Y
PA0032671 Sewage	Chris Miller 102 Woodland Road Apollo, PA 15613	Westmoreland County Washington Township	Pine Run	Y
PA0022365 Sewage	Perryopolis Area Joint Authority P. O. Box 298 Perryopolis, PA 15437	Fayette County Perryopolis Borough	Youghiogheny River	Y

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

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

NPDES Permit No. PA0210625, Industrial Waste, **Bradford Forest Inc.**, 444 High Street, Bradford, PA 16701-0369. This proposed facility is located in Borough of Bradford, **McKean County**.

Description of Proposed Action/Activity: A new NPDES permit for an existing discharge of untreated stormwater and wet decking.

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

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

WQM Permit No. 0907404, Sewerage, **Upper Southampton Sewer Authority**, 945 Street Road, P. O. Box 481, Southampton, PA 18966. This proposed facility is located in Lower Southampton Township, **Bucks County**.

Description of Action/Activity: Extend force main 4,600 feet.

WQM Permit No. WQG02-090709, Sewerage, **Upper Southampton Sewer Authority**, 945 Street Road, P. O. Box 481, Southampton, PA 18966. This proposed facility is located in Upper Southampton Township, **Bucks County**.

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

WQM Permit No. WQG01-0015, Sewerage, **Danielle Bushar**, 222 River Road, Gladwynne, PA 19035. This proposed facility is located in Lower Merion Township, **Montgomery County**.

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

WQM Permit No. WQG02460711, Sewerage, **Gwynedd Gate, LTD**, 120 South Main Street, Doylestown, PA 18901. This proposed facility is located in Lower Gwynedd Township, **Montgomery County**.

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

WQM Permit No. WQG02460712, Sewerage, **Lower Gwynedd Township Municipal Authority**, 1130 North Bethlehem Park, Spring House, PA 19477. This proposed facility is located in Lower Gwynedd Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a force main.

WQM Permit No. WQG01-0014, Sewerage, **John V. and Jeanne T. Donnelly**, 1961 North Ridley Creek Road, Media, PA 19063. This proposed facility is located in Upper Providence Township, **Delaware County**.

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

WQM Permit No. 0907404, Sewerage, **Upper Southampton Sewer Authority**, 945 Street Road, P. O. Box 481, Southampton, PA 18966. This proposed facility is located in Lower Southampton Township, **Bucks County**. Description of Action/Activity: Construction and operation of a 4,800 linear feet of 20" force main.

WQM Permit No. WQG02-150710, Sewerage, **Valley Township**, P. O. Box 467, 890 West Lincoln Highway, Coatesville, PA 19320. This proposed facility is located in Valley Township, **Chester County**.

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

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

WQM Permit No. WQG02490601, Sewerage 4952, **Municipal Authority of the City of Sunbury**, Sunbury, PA 17801. This facility will be located in the City of Sunbury, **Northumberland County**.

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

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

WQM Permit No. 3707401, Sewerage, **Green Meadows Mobile Home Park**, 2186 White Oak Trail, Warrior, AL 35180. This proposed facility is located in New Beaver Borough, **Lawrence County**.

Description of Proposed Action/Activity: This project is for a new package plant to replace two malfunctioning systems which serve the existing mobile home park.

WQM Permit No. WQ018554, Sewage, **Brian and Kara Shpakoff**, 61 Allison Road, Clarion, PA 16214. This proposed facility is located in Limestone Township, **Clarion 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

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030606011	James Heitman 3251 Seisholtzville Road Barto, PA 19504	Berks	Hereford Township	Perkioman Creek HQ-CWF

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

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041407008	Jim Nixon—Halfmoon, LLC Orchard Manor Subdivision 6310 Stevens Forest Road Columbia, MD 21046	Centre	Halfmoon Township	UNT to Spruce Creek HQ-CWF
PAR10F105R2	Jack Norris Innovation Capital Partners U. S. Steel Tower 14th Floor 600 Grant Street Pittsburgh, PA 15219	Centre	College Township	Big Hollow Run CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-02

Facility Location:

Municipality & County

Permit No.

Applicant Name & Address

Receiving Water/Use

Contact Office & Phone No.

Olyphant Borough Lackawanna County	PAG2003506003(1)	Robert Naegele 1610 Forest Acre Drive Clarks Summit, PA 18411	Sterry Creek CWF	Lackawanna County Cons. Dist. (570) 281-9495
Smithfield Township Monroe County	PAG2004505007(1)	Chelsea Smithfield Holdings, LLC c/o Danielle DeVita 105 Eisenhower Parkway Roseland, NJ 07068	Brodhead Creek TSF, MF	Monroe County Cons. Dist. (570) 629-3060
Upper Saucon Township Lehigh County	PAG2003907004	Fred Derby P. O. Box 307 Coopersburg, PA 18036	Saucon Creek CWF	Lehigh County Cons. Dist. (610) 391-9583
Upper Saucon Township Lehigh County	PAG2003907005	Paul Miller 9803 Kunkels Mill Road Kempton, PA 19529	Saucon Creek CWF	Lehigh County Cons. Dist. (610) 391-9583
City of Pottsville Schuylkill County	PAG2005407010	City of Pottsville P. O. Box 50 Pottsville, PA 17901	Schuylkill River CWF	Schuylkill County Cons. Dist. (570) 622-3742
Newton Township Lackawanna County	PAG2003507018	Greg Pascale Abington Skate Assn. 311 Stone Avenue Clarks Summit, PA 18411	Falls Creek CWF	Lackawanna County Cons. Dist. (570) 281-9495
Manchester Borough York County	PAG2006706116	Northeastern School District 41 Harding Street Manchester, PA 17345	Hartman Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Paradise and Dover Townships York County	PAG2006705101	Cherry Lane Meadows Harry H. Fox 600 Cold Springs Road Dillsburg, PA 17019	UNT to South Branch Conewago WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

NOTICES

3475

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
York Township York County	PAG2006707038	Living Word Community Church Dennis C. Fitzke 2530 Cape Horn Road Red Lion, PA 17356	Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAG2006707032	Penn Township Volunteer Emergency Services, Inc. Jan Cromer 20 Wayne Road Hanover, PA 17331	Plum Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
York Township York County	PAG2006707030	170 Crossway, LLC Larry Bortner 160 Crossway Drive York, PA 17402	UNT Lake Redman (Codorus Creek E. Br) CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County	PAG2006707014	Addington Reserve Jeff Rutt Foz Clearing, LLC 214 Willow Valley Lakes Drive Willow Street, PA 17548	UNT to Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Conewago Township York County	PAG2006706055	Conewago Partners—Rentzel Property (PADE) Jeff Georg Conewago Partners, LP P. O. Box 41 York, PA 17405	UNT to Little Conewago TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
North Middleton Township Cumberland County	PAG2002106053	North Middleton Township 2051 Spring Road Carlisle, PA 17013	Conodoguinet Creek WWF	Cumberland County Conservation District 310 Allen Road Carlisle PA 17013 (717) 240-7812
Hampden and Silver Spring Townships Cumberland County	PAG2002106049	Martin Dwyer 3 Saucon View Drive Bethlehem, PA 18015	Conodoguinet Creek WWF	Cumberland County Conservation District 310 Allen Road Carlisle PA 17013 (717) 240-7812
Shippensburg Township Cumberland County	PAG2002107010	Joe Paramore 607 Briarwood Drive Suite 5 Myrtle Beach, SC 29572	Burd Run CWF	Cumberland County Conservation District 310 Allen Road Carlisle PA 17013 (717) 240-7812
Bradford County Troy Borough	PAG2000806002(1)	Robert Grantier Superintendent Troy Area School District 310 Elmira Street Troy, PA 16947	West Branch Sugar Creek TSF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5 Box 5030C Towanda, PA 18848 (570) 265-5539 Ext. 6
Centre County College and Harris Townships	PAG2001407008	Max Gill SCBWA Building Expansion 1201 W. Branch Road State College, PA 16801	UNT to Spring Creek and Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Clearfield County Ferguson Township	PAG2001706019	River Hill Coal Co., Inc. P. O. Box 141 Kylertown, PA 16847	Wilson Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Clearfield County Decatur Township	PAG2001707002	Clearfield Creek Watershed Association 216 Beldin Hollow Road Ashville, PA 16613	UNT to Morgan Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Columbia County Catawissa Township	PAG2001907007	John C. Klingerman TCBA 1388 SR 487 Bloomsburg, PA 17815	Corn Run CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310 Ext. 102
Beaver County Conway Borough	PAG2000407006	Frank C. Thompson Log Cabin Land Co., Inc. P. O. Box 1613 Cranberry Township, PA 16066	Crow's Run WWF	Beaver County CD (724) 378-1701
Washington County Cecil Township	PAG2006307027	Southpointe-MDC, LLC 3150 Republic Boulevard North Suite 3 Toledo, OH 43615	Chartiers Creek WWF	Washington County CD (724) 228-6774
Crawford County Hayfield Township	PAG2002007005	Jeffrey Cross 19395 Jaime Road Saegertown, PA 16433	Brookhouser Creek WWF	Crawford County Conservation District (814) 763-5269
Erie County Fairview Township	PAG2002507013	Army Reserve Center Training Building United States Army Corps of Engineers 120 Hollidaysburg Plaza Duncansville, PA 16635	UNT to Brandy Run UNT to Trout Run CWF, MF	Erie Conservation District (814) 825-6403
Mercer County Coolspring and Fairview Townships	PAG2004307003	ARC of Mercer County Foundation 850 North Hermitage Road Hermitage PA 16148	Tributary Coolspring Creek TSF	Mercer County Conservation District (724) 662-2242

*General Permit Type—PAG-3**Facility Location &
Municipality*

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Cumberland County Hampden Township	PAR233548	Cresline Plastic Pipe Co., Inc. 264 Silver Spring Road Mechanicsburg, PA 17050-2896	Trindle Spring Run CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Hayfield Crawford County	PAR118338	Greenleaf Corporation 18695 Greenleaf Drive Saegertown, PA 16433	UNT to Wolf Run (Outfalls 1—6) and French Creek (Outfalls 7—8)	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hepburn Township Lycoming County	PAG045245	Lois J. Bausinger 67 Academy Road Cogan Station, PA 17728-9351	Mill Creek WWF	Water Management Program Manager 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
City of St. Marys Elk County	PAG049355	Timothy J. Herbstritt 159 Country Road St. Marys, PA 15857	Elk Creek 17-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Limestone Township Clarion County	PAG049351	Brian and Kara Shpakoff 61 Allison Road Clarion, PA 16214	UNT to Little Piney Creek 17-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Columbus Township Warren County	PAG048469	Fred E. and Katherine Kemp Jensen R. R. 1, Box 14A Lottsville Road Columbus, PA 16405	UNT to Coffee Creek 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Clinton Township Butler County	PAG048755	Christopher W. Mullen 132 Knoch Road Saxonburg, PA 16056	UNT to Thorn Creek 20-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of New Kensington Westmoreland County	PAG056221	Sunoco, Inc. 350 Eagleview Boulevard Suite 300 Exton, PA 19341	Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Newberry Township York County	PAG083505 PAG083529	Springettsbury Township 1501 Mt. Zion Road York, PA 17402	Warren Harrold Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Newberry Township York County	PAG083505	Springettsbury Township 1501 Mt. Zion Road York, PA 17402	Randy Deardorff Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*Facility Location:
Municipality &
County*Antrim Township
Franklin County*Permit No.*PAG080002
PAG080003
PAG080004
PAG080006
PAG080008
PAG080018
PAG082201
PAG082203
PAG082211
PAG083501
PAG083502
PAG083506
PAG083510
PAG083515
PAG083517
PAG083518
PAG083522
PAG083535
PAG083540
PAG083542
PAG083547
PAG083551
PAG083556
PAG083565
PAG083596
PAG083825
PAG089903
PAG089904
PAG089905*Applicant Name & Address*Synagro
1605 Dooley Road
P. O. Box B
Whiteford, MD 21160*Site Name &
Location*

Ron Elliott Farm

*Contact Office &
Phone No.*DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA
17110-8200
(717) 705-4707*General Permit Type—PAG-9 (SSN)**Facility Location &
County/ Municipality*Potter County
Clymer Township*Permit No.*

PAG094805

*Applicant Name & Address*Leslie's Septic Service
P. O. Box 211
Galeton, PA 16922*Site Name &
Location*Ackley Farm
Potter County
Clymer Township*Contact Office &
Phone No.*Northcentral
Regional Office
Water Management
Program
208 West Third
Street
Suite 101
Williamsport, PA
17701
(570) 327-3664*General Permit Type—PAG-10**Facility Location &
Municipality*Muncy and Wolf
Townships
Lycoming County*Permit No.*

PAG104807

*Applicant Name & Address*Williams Gas Pipeline—Transco
2800 Post Oak Boulevard
Level 17
Houston, TX 77056*Receiving Water/Use*Pine Run
CWF*Contact Office &
Phone No.*Northcentral
Regional Office
Water Management
Program
208 West Third
Street
Suite 101
Williamsport, PA
17701
(570) 327-3664*General Permit Type—PAG-12**Facility Location &
Municipality*Berks County
Bethel Township*Permit No.*

PAG123561

*Applicant Name & Address*Elvin L. Martin
Martin Farm CAFO
980 Little Mountain Road
Myerstown, PA 17067*Receiving Water/Use*Crosskill Creek
tributary to Little
Swatara Creek
CWF*Contact Office &
Phone No.*DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4802

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. 2406545, Operations Permit, Public Water Supply.

Applicant	EZY Water Development Company, Inc. 410 West Mine Street Hazleton, PA 18201
	Foster Township
County	Luzerne
Type of Facility	Finished Water Bulk Hauling Facility
Consulting Engineer	Dominic Yannuzzi, P. E. Alfred Benesch & Company 400 One Norwegian Plaza Pottsville, PA 17901
Permit to Operate Issued	June 20, 2007

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

Operations Permit issued to: **Stoltzfus Meats, Inc.**, Leacock Township, **Lancaster County** on July 6, 2007, for the operation of facilities approved under Construction Permit No. 3605501.

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

Permit No. 32791-MA1, Public Water Supply.

Applicant	Volant Borough
Borough or Township	Volant Borough
County	Lawrence County
Type of Facility	PWS
Consulting Engineer	Gannett Fleming, Inc.
Permit to Construct Issued	July 10, 2007

Operations Permit issued to: **Bradford City Water Authority**, PWSID 6420016, Lafayette Township, **McKean County**. Permit issued July 2, 2007, for the operation of the Bradford Regional Airport Tank, for finished water storage, as constructed and permitted under operations Permit Number 4287502-MA3, approved September 14, 2005.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bedford Township	P. O. Box 148 Bedford, PA 15522	Bedford County

Plan Description: The approved plan provides for the extension of sanitary sewer collection service to the Sweet Root Road area of Bedford Township. The project will serve 33 existing homes and will produce 13,200 gpd of sewage flow. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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 Avalon subdivision consists of a 517-unit residential condominium development and clubhouse with a projected sewage flow of 125,456 gpd. Five hundred and two of the units and the clubhouse will be served by a new pump station which is intended for public dedication. All sewage flows are to the Mechanics-

burg Wastewater Treatment Plant, by means of the upgraded sewer line (to 12") along Gross Drive (State Road). The Department's review of the sewage facilities update revision has not identified any significant impacts resulting from this proposal.

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

Public Notice of Proposed Consent Order and Agreement Boyertown Associates

Colebrookdale Township, Berks County and Douglass Township, Montgomery County

The Department of Environmental Protection (Department), under the authority of sections 5, 316, 401, 402, 610 and 611 of The Clean Streams Law (35 P. S. §§ 691.5, 691.316, 691.401, 691.402, 691.610 and 691.611); sections 104 and 602 of the Solid Waste Management Act (35 P. S. §§ 6018.104 and 6018.602); section 1102 of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. § 6020.1102); and section 1917-A of The Administrative Code of 1929 (71 P. S. § 510-17), has entered into a Consent Order and Agreement (CO&A) with Boyertown Associates (Boyertown). The site is located in Colebrookdale Township, Berks County and Douglass Township, Montgomery County.

Boyertown Associates is a Pennsylvania General Limited Partnership having a business address of 201 North Fourth Street, Royersford, PA. Boyertown owns property located at 704 East Fourth Street, Boyertown, PA, referred to as the "Site." The term Site shall also include areas as included in the definition of that term in section 103 of Land Recycling and Environmental Remediation Standards Act (Act 2) (35 P. S. § 6026.103). The Department has concluded that use of the Site by prior tenants has resulted in the release of trichloroethylene (TCE) at the Site, which has caused or contributed to groundwater contamination impacting numerous private water supply wells in Boyertown.

Boyertown intends to characterize the Site, attain and demonstrate compliance with Act 2 cleanup standards for identified contamination in groundwater and possibly soil, and obtain Department approval of a Final Report no later than December 31, 2009, all in accordance with Act 2 and its implementing regulations. Boyertown is obligated to contribute \$7,500 in partial reimbursement of the Department's Response Costs associated with the Site.

Under this CO&A, Boyertown is a person that has resolved their liability to the Department for the Site and is eligible for protection from claims for contribution regarding matters addressed in this settlement, as provided by section 705(c)(2) of HSCA (35 P. S. § 6020.705(c)(2)). This contribution protection is intended to be as broad as permissible under HSCA, and the "matters addressed" in this settlement encompass all of the Response actions and Response costs at the Site. Under section 1113 of the HSCA (35 P. S. § 6020.1113), the Department of Environmental Protection is publishing notice of this CO&A and will provide a 60-day period for public comment on the CO&A commencing with the date of this publication.

For a period of 60 days beginning with the July 21, 2007, publication date of this notice, the public is invited to review the CO&A, Monday through Friday, from 8 a.m. to 4 p.m., at the Department's Southcentral Region Office

located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting Kathleen Horvath at (717) 705-4866.

After review, the public may submit written comments on the CO&A before September 19, 2007, by mailing them to Kathleen Horvath at the Department's Harrisburg Office at the address noted previously. A person adversely affected by the settlement may also file an appeal from the CO&A to the Environmental Hearing Board. Any questions concerning this notice should be directed to Kathleen Horvath at the telephone number and address noted previously.

The Department has reserved the right to withdraw its consent to the CO&A if comments submitted during the public comment period disclose facts or considerations which indicate, in the Department's discretion, that the CO&A is inappropriate or not in the public interest.

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.

Twin Solo Farm, Plumstead Township, **Bucks County**. Jeffery Walsh, Penn Env. & Remediation Inc., 2755 Bergery Road, Hatfield, PA 19440 on behalf of Jonathan Reiss, Plumstead Township, 5186 Sump Road, Plumsteadville, PA 18949 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Boiler Erection & Repair Co., Inc., Ambler Borough, **Montgomery County**. Jeffrey Goudsward, Langan Engineering & Env. Svc., P. O. Box 1569, Doylestown, PA 18901 on behalf of John Carey, Sr., Industrial Management Associates, Inc., 200 South Main Street, Ambler, PA 19002 has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standards.

Phillips Est., West Township, **Montgomery County**. Joseph Diamadi Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Mike McCann, Ferguson & McCann, Inc., 270 Bodley Road, Aston PA 19014 has submitted a Final Report concerning remediation of site soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standards.

269 Canal Road Site. Falls Township, **Bucks County**. Anthony Cino, 269 Canal Road, LP, 301 Oxford Valley Road, Suite 702, Yardley, AP 19067 on behalf of Trevan Houser Land Resource Solutions, LLC, 1274 North Church Street, Moorestown, NJ 08057 has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site groundwater contaminated with inorganic. The report is intended to document remediation of the site to meet the Site Specific Standards.

Harvey Gray, Inc., Upper Makefield Township, **Bucks County**. Tarek Selim, Penn E & R, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Harvey Gray, Harvey Gray, Inc., 921 Creamery Road, Newtown, PA 18940 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with PCB. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Heintz Corp., Prop., City of Philadelphia, **Philadelphia County**. Steven Coe, Brown Env. Svc. Corp., 301 South State Street, Suite N102, Newtown, PA 18940 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standards.

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

Tampell/Wegmans, City of Williamsport, **Lycoming County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110-9307 on behalf of Wegmans Foods Markets, Inc., 1500 Brooks Avenue, Rochester, NY 14692-6844 has submitted a combined Remedial Investigation/Final Report concerning remediation of site soil contaminated with chlorinated solvents, fuel oil No. 2, other organics and PAHs and groundwater contaminated with chlorinated solvents, fuel

oil No. 2, inorganics, other organics and PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Dominion Transmission Greenlick Compressor Station, Stewardson Township, **Potter County**. Dominion Resources Services Inc., P. O. Box 2450, Clarksburg, WV 26301-2450 has submitted a combined Risk Assessment/Cleanup Plan concerning remediation of site soil and groundwater contaminated with BTEX constituents and PCBs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Carbone of Amer Ind Graphite Materials Div., City of St. Marys, **Elk County**. Hydrosystems Management, Inc., P. O. Box 789, Washington, PA 15301-0789 on behalf of Carbone of America Ind. Corp., 215 Stackpole Street, Suite 1, St. Marys, PA 15857 has submitted a Revised Risk Assessment Report concerning remediation of site soil contaminated with acenaphthene, acetone, anthracene, antimony, arsenic, benzene, beryllium, cadmium, carbon disulfide, chlorobenzene, chloroform, chromium (III), chrysene, copper, dichloroethane 1,2-, dichloroethylene 1,1-, dichloroethylene CIS-1,2-, dichloroethylene TRANS-1,2-, dichloropropene 1,3-, ethyl benzene, fluoranthene, fluorene, lead, mercury, methyl ethyl ketone, naphthalene, nickel, PCB-1260 (aroclor), phenanthrene, pyrene, silver, tetrachloroethylene (PCE), toluene, trichloroethane 1,1,1-, trichloroethane 1,1,2-, trichloroethylene (TCE), vinyl chloride, xylenes (Total), zinc and compounds and site groundwater contaminated with acetone, arsenic, barium and compounds, benzene, beryllium, bromodichloromethane, bromomethane, cadmium, carbon disulfide, chloroform, copper, dichloroethane 1,1-, dichloroethane 1,2-, dichloroethylene 1,1-, dichloroethylene CIS-1,2-, dichloromethane (methylene chloride), dichloropropane 1,2-, diethyl phthalate, iron, lead, manganese, methyl chloride, methyl isobutyl ketone, nickel, pentachlorophenol, pyrene, silver, tetrachloroethylene (PCE), toluene, tribromomethane (bromoform), trichloroethane 1,1,1-, trichloroethane 1,1,2-, trichloroethylene (TCE), vinyl chloride, xylenes (Total), zinc and compounds, and other compound not on the Statewide Health Standard list. The report is intended to document remediation of the site to meet the Site-Specific and Statewide Health Standards.

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.

PECO Phoenixville MGP, Phoenixville Borough, **Chester County**. URS Corp., 335 Commerce Drive, Suite 300, Ft. Washington, PA 19034 on behalf of Andrew Levin, Stadley, Roman, Stevens and Young, LLP, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PAHs. The Final report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on June 28, 2007.

Trivelpiece, East Coventry Township, **Chester County**. Richard Trimpi, Trimpi Assoc., Inc., 1635 Old Plains Road, Pottsville, PA 18073 on behalf of Pat Sobock, Coventry Terrance Mobile Homes, LLC, 6 Orchard Lane, Spring City, PA 19475 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on June 8, 2007.

Panizza Property, East Whiteland Township, **Chester County**. Michael Christie, Penn Env. & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Guy Wolfington, Chester Interchange Assoc., LP, 2701 Renaissance Boulevard, King of Prussia, PA

19440 has submitted a Final Report concerning the remediation of site soil contaminated with PAH. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on May 24, 2007.

Sunoco Ship Road Leak, West Whiteland Township, **Chester County**. Jennifer Huha, GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Barry Albright, 1330 Ship Road, West Chester, PA 19380, Hower Sok, 1323 Ship Road, West Chester, PA 19380, Henry Melius, 1319 Ship Road, West Chester, PA 19380, David McKinney, 1313 Hillcrest Avenue, West Chester, PA 19380, Deverux Foundations, 2013 Renaissance Boulevard, King of Prussia, PA 19406, David Tinney, 1327 Ship Road, West Chester, PA 19380, Richardo Coroniti, Northwyn Court Apartments, 468 Drive, King of Prussia, PA 19406, Richard Brane, 1314 Dunsinane Drive, West Chester, PA 19380, Henry Stockley, 1308 Dunsinane Drive, West Chester, PA 19380, Paul Miler, 1306 Dunsinane Drive, West Chester, PA 19380, Frederick Custer, 1306 Hillcrest Avenue, West Chester, PA 19380, Robert Erhard, 1308 Hillcrest Avenue, West Chester, PA 19380, Michael Downs, 1309 Hillcrest Avenue, West Chester, PA 19380, Frederick Trautman, 1304 Dunsinane Drive, West Chester, PA 19380, Lillaian Cree, 1309 Hillcrest Avenue, West Chester, PA 19380, Donald Farr, 1303 Hillcrest Avenue, West Chester, PA 19380, Donald Farr, 1303 Hillcrest Avenue, West Chester, PA 19380, David Sulpizi, 1301 Dunsinane Drive, West Chester, PA 19380, Bradford Fish, P. O. Box 1135, Marcus Hook, PA 19061, Thomas Hedberg, 690 East Boot Road, West Chester, PA 19380, Tolentino Enterprises, 459 Foster Drive, Springfield, PA 19064, John McBratni, 651 East Boot Road, West Chester, PA 19380, Bruce Jones, 1298 County Lane, West Chester, PA 19380, Dat Senh, 1296 County Lane, West Chester, PA 19380, Barbara Mooney, 1307 Dunsinane Drive, West Chester, PA 19380 has submitted a Remedial Investigation Report and Final Report concerning the remediation of site soil and groundwater contaminated with petroleum and unleaded gasoline. The Remedial Investigation Report and Final Report was approved by the Department of Environmental Protection on June 1, 2007.

Keystone Industrial Port Complex, Lot 8, Phase 4, Fairless Hills, **Bucks County**. Jeffery Smith, P. G., Langan Engineering and Environmental Services, Inc., 30 17th Street, Suite 1300, Philadelphia, PA 19103 on behalf of Kathleen Myher, United State Steel Corp., 600 Grant Street, Pittsburgh, PA 15129 submitted a Final Report concerning the remediation of site soil contaminated with PAH and PCB. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on May 1, 2007.

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

Former Tyrone Social Club, Tyrone Borough, **Blair County**. Blazosky Associates, Inc., 2525 Green Tech Drive, Suite D, State College, PA 16803, submitted a baseline remedial investigation work plan which describes investigative tasks necessary to characterize the site in accordance with the special industrial area provision of Act 2. All or portions of the site were occupied by a dry cleaner, gasoline fueling station/vehicle repair facility and social club. Currently the site is leased by an auto parts retail business. The plan was approved by the Department of Environmental Protection on July 3, 2007.

Pennsylvania American Water Company—Former Yellow Breeches Treatment Plant, Fairview Township,

York County. Molesevich Environmental, LLC, P. O. Box 654, Lewisburg, PA 17837, on behalf of Pennsylvania American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055-4475 and BlackRock Environmental, LLC, P. O. Box 288, Nazareth, PA 18064, submitted a Final Report concerning remediation of site soils contaminated with No. 2 heating oil from removed underground storage tanks. The Final Report demonstrated attainment of the Residential Statewide Standard, and was approved by the Department on July 5, 2007.

Exide Technologies Facility, West Lampeter Township, **Lancaster County.** Golder Associates, 1100 Hector Avenue, Suite 225, Conshohocken, PA 19403, on behalf of Exide Technologies, 3000 Montrose Avenue, Reading, PA 19605, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with VOCs and petroleum hydrocarbons. The report was approved by the Department of Environmental Protection on July 5, 2007. The applicant intends to remediate the site to a combination of the site-specific and Statewide Health Standards.

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

Dellingers I-80 MM 32 Truck Accident, Graham Township, **Clearfield County,** CP Environmental Group, Inc., 1092 Fifth Avenue, New Kensington, PA 15068 on behalf of John Dillinger Trucking 265 Vandale Drive, Spartanburg, SC 29303 has submitted a Final Report within 90-day of the release concerning remediation of site soil and surface water contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on June 26, 2007.

Red Rock Job Corps., Cherry Township, **Sullivan County,** Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Red Rock Job Corps, P. O. Box 218, Route 487, Lopez, PA has submitted a Final Report concerning remediation of site soil contaminated with No. 2 heating oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on June 25, 2007.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Hazardous Waste Transporter License Renewed

Horwith Trucks, Inc., P. O. Box 7, 1449 Nor-Bath Boulevard, Northampton, PA 18067. License No. PA-AH 0176. Effective May 31, 2007.

Hittman Transport Services, Inc., 628 Gallaher Road, Kingston, TN 37763. License No. PA-AH S239. Effective June 4, 2007.

Fred Pugliese, d/b/a/ Plainfield Motor Services, One Genstar, Joliet, IL 60435. License No. PA-AH 0573. Effective June 8, 2007.

Beelman Truck, Co., 1 Racehorse Drive, East St. Louis, IL 62205. License No. PA-AH 0363. Effective June 12, 2007.

Environmental Waste Minimization, Inc., 14 Brick Kiln Center, Northampton, PA 18067. License No. PA-AH 0682. Effective June 13, 2007.

AEG Environmental Products & Services, P. O. Box 286, Westminster, MD 21158. License No. PA-AH 0701. Effective June 14, 2007.

Clean Venture, Inc., 201 South First Street, Elizabeth, NJ 07206. License No. PA-AH 0299. Effective June 20, 2007.

First Piedmont Hauling, Inc., P. O. Box 1069, Chatham, VA 24531. License No. PA-AH S212. Effective June 26, 2007.

Reliable Environmental Transport, Inc., R. R. 4 Box 263, Bridgeport, WV 26330. License No. PA-AH 0721. Effective June 26, 2007.

K & D Industrial Services, Inc., 6470 Beverly Plaza, Romulus, MI 48174. License No. PA-AH 0320. Effective June 28, 2007.

Barr Transportation Corp., 920 Spencer Street, Syracuse, NY 13204. License No. PA-AH 0571. Effective June 29, 2007.

Hazardous Waste Transporter License Voluntarily Terminated

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

North Star Waste, LLC, 223 Fellowship Road, Uwchland, PA 19480. License No. PA-AH 0718. Effective December 15, 2006.

Waste Management New England Environmental Transport, Inc., 209 Pickering Street, Portland, CT 06480. License No. PA-AH 0664. Effective April 30, 2007.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Act 93 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471

Infectious and Chemotherapeutic Waste Transporter License Renewed

Bio-Haz Solutions, Inc., 531 Seneca Road, P. O. Box 420, Lehighton, PA 18235. License No. PA-HC 0191. Effective June 7, 2007.

Carlucci Construction Co., Inc., 401 Meadow Street, Cheswick, PA 15024. License No. PA-HC 0015. Effective June 14, 2007.

BioMedical Waste Services, Inc., 7833 Golden Pine Circle, Severn, MD 21226. License No. PA-HC 0226. Effective June 18, 2007.

Sterilogic Waste Systems, Inc., 6691 Pickard Drive, Syracuse, NY 13211. License No. PA-HC 0208. Effective June 21, 2007.

Infectious and Chemotherapeutic Waste Transporter License Expired

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

NSH Network, Inc., d/b/a/ Resource Management Council Services, 1383 Veterans Memorial Highway, Suite 26, Hauppauge, NY 11788. License No. PA-HC 0197. Effective June 30, 2007.

AIR QUALITY

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

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

58-310-012GP3: Haines and Kibblehouse—Montrose Materials (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on June 27, 2007, to construct and operate a Portable Crushing Operation with watersprays at their site in Bridgewater Township, **Susquehanna County**.

54-310-043GP3: Haines and Kibblehouse—Jeld-Wen Windows (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on June 27, 2007, to construct and operate a Portable Crushing Operation with watersprays at their site in Cass Township, **Schuylkill County**.

45-310-046GP3: RP Hoffman Excavating (HC 89, Box 119, Pocono Summit, PA 18346) on July 3, 2007, to construct and operate a Portable Crushing Operation with watersprays at their site in Tobyhanna Township, **Monroe County**.

45-329-004GP9: RP Hoffman Excavating (HC 89, Box 119, Pocono Summit, PA 18346) on July 3, 2007, to install and operate an Internal Combustion Engine at their site in Tobyhanna Township, **Monroe County**.

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

GP3-14-07-03014: New Enterprise Stone & Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) on June 29, 2007, for Portable Nonmetallic Mineral Processing Plants under GP3 in Taylor Township, **Blair County**.

GP3-28-03047A: Valley Quarries, Inc. (169 Quarry Road, Chambersburg, PA 17201) on July 5, 2007, for Portable Nonmetallic Mineral Processing Plants under GP3 in Peters and St. Thomas Townships, **Franklin County**.

GP3-67-03124B: Kinsley Construction, Inc. (135 Mundis Race Road, York, PA 17402) on June 28, 2007, for Portable Nonmetallic Mineral Processing Plants under GP3 in East Manchester Township, **York County**.

GP9-28-03047A: Valley Quarries, Inc. (169 Quarry Road, Chambersburg, PA 17201) on July 5, 2007, for Diesel or No. 2 Fuel-fired Internal Combustion Engines under GP9 in Peters and St. Thomas Township, **Franklin County**.

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

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

06-03063C: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyons Station, PA 19536) on July 3, 2007, to construct two small parts casters and to modify the existing fabric collector and HEPA filter at their facility in Kutztown Borough, **Berks County**.

21-03078A: Carlisle Coatings and Waterproofing, Inc. (1275 Ritner Highway, Carlisle, PA 17013-9381) on July 3, 2007, to install a rubberized asphalt sheeting line in Carlisle Borough, **Cumberland County**.

36-05002C: Armstrong World Industries, Inc. (1067 Dillerville Road, Lancaster, PA 17603-2613) on July 5, 2007, to install a replacement wet scrubber on the No. 6 Roto Line at their flooring plant in the City of Lancaster, **Lancaster County**.

67-05112A: Kinsley Manufacturing, Inc. (1110 East Princess Street, York, PA 17403) on June 27, 2007, to construct 2 portable spray paint units with dry panel filters for control of PM emissions at their steel fabrication shop (East York facility) in Springettsbury Township, **York County**.

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

49-317-002A: Sensenig Milling Services, Inc. (10705 SR 44, Watsonstown, PA 17777) on June 5, 2007, to install a cyclone collector and fabric collector on a rotary bakery waste dryer and to modify the respective dryer by using it to process up to 50 tons of unbaked yeast-containing dough per week in Lewis Township, **Northumberland County**.

47-309-001A: United States Gypsum Co. (125 South Franklin Street, Chicago, IL 60606) on June 26, 2007, to construct synthetic gypsum railcar and truck unloading operations in Derry Township, **Montour County**.

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

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

23-0074: GS Roofing Prod. Co., Inc. (800 West Front Street, Chester, PA 19013) on July 6, 2007, to operate a Thermal Oxidizer in City Of Chester, **Delaware County**. This plan approval has been extended.

23-0082: Liberty Electric Power, LLC (1000 Industrial Highway, Route 291, Eddystone, PA 19022) on July 6, 2007, to operate a Power Plant, 500 MW in Eddystone Borough, **Delaware County**. This plan approval has been extended.

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

22-05051A: The Hershey Co. (19 East Chocolate Avenue, Hershey, PA 17033) on April 24, 2007, to install a new particulate control device at their chocolate candy-manufacturing facility in Derry Township, **Dauphin County**. This plan approval was extended.

67-02004: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on June 27, 2007, to operate three power boilers controlled by an electrostatic precipitator, a lime calciner controlled by a Venturi scrubber and a softwood fiber line and causticizing area to be controlled by a regenerative thermal oxidizer in Spring Grove Borough, **York 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.

56-00025F: New Enterprise Stone & Lime (P. O. Box 77, New Enterprise, PA 16664) on June 28, 2007, to complete installation of a new piece of equipment at the Bakersville Quarry in Jefferson Township in **Somerset County**. This plan approval has been extended.

65-00966A: Greensburg Thermal, LLC (755 Opossum Lake Road, Carlisle, PA 17013) on June 28, 2007, to allow completion of stack testing at their facility in Hempfield Township, **Westmoreland County**. This plan approval was extended.

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

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

22-05012: ISG Steelton, LLC (215 South Front Street, Steelton, PA 17113-2538) on July 5, 2007, to operate a steelmaking facility in Steelton Borough, **Dauphin County**. This Title V Operating Permit has been administratively amended to incorporate Plan Approval 22-05012B. This is Revision No.1.

36-05018: LASCO Bathware, Inc. (40 Industrial Road, Elizabethtown, PA 17022-9425) on June 27, 2007, to operate a bathware manufacturing facility in West Donegal Township, **Lancaster County**. This Title V Operating Permit was administratively amended so that Section C, Subsection VIII—Compliance Certification requires submittal of a Compliance Certification within 30 days of January 1, 2008, and semi-annually thereafter. This is revision No. 2.

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

V06-014: Exelon Generating Co.—Schuylkill Station (2800 Christian Street, Philadelphia, PA 19146) on July 3, 2007, to operate an electric generating facility in City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one 1530 mmBtu/hr boiler, one 233 mmBtu/hr combustion turbine, one 284 mmBtu/hr combustion turbine, one 2.75 MW diesel emergency generator and cold degreasing operations.

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.

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

07-05035: Grannas Brothers Stone & Asphalt Co., Inc. (P. O. Box 488, Hollidaysburg, PA 16648-0488) on July 3, 2007, to operate a batch asphalt plant in

Frankstown Township, **Blair County**. This is a renewal of the State-only operating permit.

36-03092: Donegal Rock Products, Inc. (P. O. Box 10, Rheems, PA 17570-0010) on July 3, 2007, to operate their limestone crushing plant at the company's Rheems Quarry in West Donegal Township, **Lancaster County**. This is a renewal of the State-only operating permit.

36-03134: Wilmac Health Care, Inc. (2829 Lititz Pike, Lancaster, PA 17601-3321) on July 3, 2007, to operate their nursing and rehabilitation center in Manheim Township, **Lancaster County**. This is a renewal of the State-only operating permit.

36-03166: L & S Sweetners (388 East Main Street, Leola, PA 17540-1925) on July 2, 2007, for a liquid bulk tank truck transportation facility in West Earl Township, **Lancaster County**.

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

60-00017: Eastern Industries, Inc. (P. O. Box 177, Winfield, PA 17889) on June 5, 2007, to operate a stone processing and asphalt pavement production facility (Lewisburg Quarry) in Buffalo Township, **Union County**.

18-00026: First Quality Products, Inc. (121 North Road, McElhattan, PA 17748) on June 12, 2007, to operate a sanitary paper products manufacturing facility in Wayne Township, **Clinton County**.

17-00064: Parkwood Resources, Inc. (511 Railroad Avenue, Holmer City, PA 15748) on June 19, 2007, to operate a coal stockpiling and truck loading facility at their Cherry Tree Mine in Burnside Township, **Clearfield County**.

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

03-00170: Sylvan America, Inc. (West Hills Industrial Park, R. R. 3, Kittanning, PA 16201) on June 28, 2007, for a mushroom spawn production facility at its West Hills Spawn Plant located in East Franklin Township, **Armstrong County**.

65-00881: Innovative Carbide, Inc. (11040 Parker Drive, WCIDC, Irwin, PA 15642) on June 25, 2007, a renewal of synthetic minor operating permit for the operation of a carbide facility at North Huntingdon Township, **Westmoreland County**.

63-00641: Regal Industries, Corp. (P. O. Box 291, 98 East 1st Street, Donora, PA 15033) on June 29, 2007, to operate a refurbishing and paint shop in Donora Borough, **Washington County**.

26-448: Gerome Manufacturing Co., Inc. (P. O. Box 1089 Oliver Road, Uniontown, PA 15401) on June 28, 2007, to manufacture electronic enclosure cabinets at the Uniontown Plant in North Union Township, **Fayette County**.

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

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

01-05016: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214-0914) on July 2, 2007, for their stone crushing and coloring facility in Hamiltonban Township, **Adams County**. This operating permit was administratively amended to incorporate Plan Approval 01-03031A. This is revision No. 2.

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

17-00003: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301) on July 2, 2007, by means of a Department-initiated operating permit modification, to delete a redundant malfunction reporting condition which had been erroneously included in the operating permit by the Department at the Luther Compressor Station in Brady Township, **Clearfield County**.

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

11-00283: Portage Area School District (84 Mountain Avenue, Portage, PA 15946) on July 3, 2007, an Administrative Amendment to change the facility's contact information that is located at Portage Borough, **Cambria 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.

Permit No 56021301 and GP-12-56021301-R8, Elk Lick Energy, Inc. (P. O. Box 240, 1576 Stoystown Road, Friedens, PA 15541), to revise the permit the Roytown Deep Mine in Lincoln Township, **Somerset County** to establish an emission inventory for existing coal processing and transfer based on 850,000 tons of raw coal per year. No additional discharges. Application received October 23, 2007. Permit issued July 3, 2007.

Permit No 56841606 and NPDES Permit No. PA0110507, Brothersvalley Coal Sales, Inc., (3070 Stoystown Road, Stoystown, PA 15563-8164), to renew the permit for the Scurfield Coal Preparation Plant in Brothersvalley Township, **Somerset County** and related NPDES permit. No additional discharges. Application received November 7, 2006. Permit issued July 3, 2007.

Permit Number 56961302 and GP-12-56961302-R7, RoxCOAL, Inc., (1576 Stoystown Road, P. O. Box 149, Friedens, PA 15541), to revise the permit the Miller Mine in Lincoln Township, **Somerset County** to establish an emission inventory for the coal processing and transfer facility. No additional discharges. Application received July 10, 2006. Permit issued July 3, 2007.

Permit Number 56981301 and GP-12-56981301-R8, Quecreek Mining, Inc., (1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541), to revise the permit for the Quecreek No. 1 Mine in Lincoln Township, **Somerset County** to establish an emission inventory for coal processing and transfer based on 1,410,000 tons of raw coal per year. No additional discharges. Application received August 6, 2006. Permit issued July 3, 2007.

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

56060109 and NPDES No. PA0249645. PBS Coals, Inc., (P. O. Box 260, Friedens, PA 15541), commencement, operation and restoration of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 116.3 acres. The application also includes a stream variance request to construct erosion and sedimentation control structures and mine within the 100 foot barrier of a UNT to Glades Creek. Receiving streams: UNT to Glades Creek and Glades Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 11, 2006. Permit issued July 3, 2007.

32990104 and NPDES No. PA0235059. ABM Mining Co., Inc., (3330 Johnston Road, Smicksburg, PA 16256), transfer of an existing bituminous surface mine from ABM Mining Co., 3330 Johnston Road, Smicksburg, PA 16256 located in Grant Township, **Indiana County**, affecting 112.0 acres. Receiving streams: UNTs to Little Mahoning Creek classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 19, 2007. Permit issued June 29, 2007.

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

3473SM8 and NPDES Permit No PA0200590. North Cambria Fuel Company (175 McKnight Road, Blairsville, PA 15717). NPDES renewal issued for passive treatment at an existing bituminous surface mining site located in Derry Township, **Westmoreland County**, affecting 282 acres. Receiving streams: UNT to Loyalhanna Creek. Application received May 7, 2007. Renewal issued June 29, 2007.

65840119 and NPDES Permit No. PA0601047. Derry Stone & Lime Co., Inc. (117 Marcia Street, Latrobe, PA 15650). Permit renewal issued for continued operation and reclamation of a bituminous surface/auger mine located in Derry Township, **Westmoreland County**, affecting 643.7 acres. Receiving streams: UNTs to Stony Run and McGee Run. Application received May 4, 2007. Renewal issued July 3, 2007.

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

37010105. Kerry Coal Company (309 Industrial Park Drive, Wampum, PA 16157). Renewal of an existing bituminous strip operation in Little Beaver Township, **Lawrence County** affecting 133.6 acres. This renewal is issued for reclamation only. Receiving streams: UNT to

North Fork Little Beaver Creek. Application received May 7, 2007. Permit issued July 2, 2007.

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

40733203R2. HUD, Inc. t/a Emerald Anthracite II, (P. O. Box 27, Nanticoke, PA 178634), renewal of an existing anthracite coal refuse reprocessing operation in Hanover Township, **Luzerne County** affecting 38.79 acres, receiving stream: none. Application received July 18, 2005. Renewal issued July 2, 2007.

Noncoal Permits Actions

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

5074SM1 and NPDES Permit No. PA0122629, Valley Quarries, Inc., (P. O. Box J, Chambersburg, PA 17201-0809) renewal of NPDES Permit, Guilford Township, **Franklin County**. Receiving streams: UNT to Conococheague Creek classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received May 1, 2007. Permit issued June 29, 2007.

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

26070601 and NPDES Permit No. PA0251038. Kevin W. Hennessey (179 Linden Hall Road, Dawson, PA 15428). Permit issued for commencement, operation and reclamation of a large noncoal surface mining site (sandstone quarry) located in Lower Tyrone Township, **Fayette County**, affecting 21.8 acres. Receiving streams: UNTs to the Youghiogheny River. Application received January 24, 2007. Permit issued July 2, 2007.

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

54980301C2. HMMK, LLC, (P. O. Box 79, Skippack, PA 19474), correction to an existing quarry operation for a change in water handling necessary to operate a wet-processing stone washing/cleaning facility onsite in Foster Township, **Schuylkill County** affecting 455.4 acres, receiving stream: none. Application received April 3, 2007. Correction issued July 2, 2007.

7974SM5A1C5 and NPDES Permit PA0612243. Haines & Kibblehouse, Inc., (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Hilltown Township, **Bucks County**, receiving stream: North Branch Neshaminy Creek. Application received May 11, 2007. Renewal issued July 5, 2007.

8274SM2C6 and NPDES Permit No. PA0612871. Eastern Industries, Inc., (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Cocalico Township, **Lancaster County**, receiving stream: UNT to Indian Run. Application received May 14, 2007. Renewal issued July 5, 2007.

58070825. William R. Johnson, (P. O. Box 89, 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 27, 2007. Permit issued July 6, 2007.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

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

28074138. Warrens Excavating & Drilling, Inc., (P. O. Box 189, Bowmansville, PA 17507-0189), blasting activity permit issued for residential development in Southampton Township, **Franklin County**. Blasting activity permit end date is June 15, 2008. Permit issued June 26, 2007.

21074147. R & M Excavating, (403 Hilltop Road, Newburg, PA 17240-9202), blasting activity permit issued for residential development in Shippensburg Borough, **Cumberland County**. Blasting activity permit end date is June 27, 2008. Permit issued June 29, 2007.

21074146. Keystone Blasting Services, (381 Reifsnyder Road, Lititz, PA 17543), blasting activity permit issued for manure pit development in North Newton Township, **Cumberland County**. Blasting activity permit end date is September 30, 2007. Permit issued June 29, 2007.

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

42074003. U.S. Energy and Development Corporation (2350 North Forest Road, Getzville, NY 14068). Blasting activity permit for gas and oil exploration in Corydon Township, **McKean County**. This blasting activity permit will expire on July 5, 2008. Application received July 3, 2007. Application issued July 5, 2007.

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

22074113. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Wyndhurst Manor in Lower Paxton Township, **Dauphin County** with an expiration date of June 15, 2008. Permit issued July 3, 2007.

58074101. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for a single dwelling in Springville Township, **Susquehanna County** with an expiration date of October 30, 2007. Permit issued July 3, 2007.

06074116. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Deerfield Phase IV in Cumru Township, **Berks County** with an expiration date of June 30, 2008. Permit issued July 5, 2007.

15074110. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Meadow View in West Bradford Township, **Chester County** with an expiration date of June 30, 2008. Permit issued July 5, 2007.

36074170. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for a pool on Charlotte Street in Manor Township, **Lancaster County** with an expiration date of June 15, 2008. Permit issued July 5, 2007.

06074117. J. Roy's, Inc., (Box 125, Bowmansville, PA 17507), construction blasting for University Village Apartments in Maxatawny Township, **Berks County** with an expiration date of July 4, 2008. Permit issued July 6, 2007.

36074171. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Crestwood Estates in Conoy Township, **Lancaster County** with an expiration date of July 15, 2008. Permit issued July 6, 2007.

36074172. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Veranda Development in East Hempfield Township, **Lancaster County** with an expiration date of July 1, 2008. Permit issued July 6, 2007.

36074173. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Clearbrook Development in East Donegal Township, **Lancaster County** with an expiration date of July 1, 2008. Permit issued July 6, 2007.

38074114. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for South Lebanon Township, **Lebanon County** with an expiration date of July 1, 2008. Permit issued July 6, 2007.

38074115. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Fox Hill Estates in South Londonderry Township, **Lebanon County** with an expiration date of July 1, 2008. Permit issued July 6, 2007.

46074114. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Sunnybrook Village in Lower Pottsgrove Township, **Montgomery County** with an expiration date of July 1, 2008. Permit issued July 6, 2007.

67074132. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for York Railway Company in Spring Garden Township, **York County** with an expiration date of June 30, 2008. Permit issued July 6, 2007.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board

within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E45-491. Mel and Susan Burchman, 712 A Trenton Road, Langhorne, PA 19047. Tobyhanna Township, **Monroe County**, United States Army Corps of Engineers Philadelphia District.

To please fill in approximately 0.16 acre of PFO wetlands for the purpose of constructing a single-family dwelling on Lot 20, Unit 2, Section 11 of Lake Naomi Estates residential subdivision. The project is located between Tanglewood Drive and Upper Tunkhannock Creek, approximately 0.2 mile north of SR 0940. (Pocono Pines, PA Quadrangle N: 21.2 inches; W: 7.5 inches). (Subbasin: 2A)

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

E42-325. Universal Well Services, Inc., 201 Arch Street, Meadville, PA 16335. Rutherford Run Lot Development, in Bradford Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 41° 56' 05"; W: 78° 38' 36").

To conduct the following activities associated with development of a corner lot at the intersection of High Street and Rutherford Run Road:

1. Fill a deminimis area (0.05 acre) of PEM wetland.
2. Construct and maintain a 92-foot long, 15-inch diameter culvert in a tributary to Rutherford Run having a contributor drainage area of less than 100 acres.
3. Excavate and stabilize as restoration of an area of the right 50-foot floodway along an approximately 250-foot reach of Rutherford Run.

E43-341. Lake Latonka Property Owners Association, 420 Latonka Drive, Mercer, PA 16137. Dock Re-

placements in Jackson and Coolspring Townships, **Mercer County**, ACOE Pittsburgh District.

To conduct the following projects in Coolspring and Jackson Townships in Mercer County: 1) remove and replace Dock 2 (Jackson Center, PA Quadrangle N: 41° 16' 20"; W: 80° 10' 53") with a 100-foot long by 3.5-foot wide mainframe, having three slips on each side. Total square footage of the new dock will be 660 square feet. 2) remove and replace Dock 3 (Jackson Center, PA Quadrangle N: 41° 16' 46.5"; W: 80° 10' 46") with a 120-foot long by 3.5-foot wide mainframe, having three slips on each side. Total square footage of the new dock will be 720 square feet. 3) remove and replace Dock 10 (Jackson Center, PA Quadrangle N: 41° 16' 19"; W: 80° 11' 17"). The existing mainframe along the shoreline will be used and eight new slips measuring 20-feet long by 3-feet wide will be added to the structure. Total square footage of the new slips will be 720 square feet.

SPECIAL NOTICES

Revised Application and Public Hearing Invitation

Revised Application and Public Hearing for NPDES Permit No. PAS10S119; Proposed Alpine Rose Resorts, Eldred Township, Monroe County

NPDES Permit No. PAS10S119. On March 28, 2005, the Department of Environmental Protection (Department) issued the permit to Alpine Rose Resorts, Inc. (Alpine Rose) for the discharge of stormwater from construction activities at its proposed project site in Eldred Township, Monroe County. A public hearing on the original permit application was held on January 23, 2003. On or about April 22, 2005, Blue Mountain Preservation Association, Inc. (BMPA) filed an appeal with the Environmental Hearing Board (EHB) challenging the Department's issuance of NPDES Permit No. PAS10S119, for failure to comply with the antidegradation requirements found in 25 Pa. Code § 93.4c (relating to drainage list C). On September 7, 2006, after hearing, the EHB issued an Adjudication and Order sustaining BMPA's appeal, vacating the permit and remanding the matter to Department for consideration in accordance with the Adjudication. On April 28, 2007, the Department published notice of receipt of the revised Alpine Rose application documentation and plans submitted to the Department in accordance with the EHB's September 7, 2006 Order.

The Department hereby notices its tentative determination to issue the revised Individual NPDES Permit No. PAS10S119 to Alpine Rose Resorts, Inc., based upon the revised application documentation and plans, for the discharge of stormwater from construction activities at the project site in Eldred Township, Monroe County. The Best Management Practices described in the revised plans submitted with the revised permit application documentation constitute the effluent limitations proposed for the project.

The Department will hold a public hearing to accept comment on the revised application documentation and plans associated with the Individual NPDES Permit Application No. PAS10S119 for the discharge of stormwater from construction activities to the Aquashicola Creek and tributaries thereof from the proposed Alpine Rose Resorts project site in Eldred Township, Monroe County. The hearing is in response to BMPA's request for a public hearing on the revised application documentation and plans submitted by Alpine Rose Resorts, Inc. in response to the EHB's September 7, 2006, order. In their request for this public hearing,

BMPA indicated that they have data that contradicts the Alpine Rose's Antidegradation and Thermal Impacts Analysis.

The public hearing will be conducted on Wednesday, August 22, 2007, at 7 p.m. at the Eldred Elementary School, Kunkletown Road, Kunkletown, Eldred Township, Monroe County by the Watershed Management Program, Permitting and Technical Services Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

The Department requests that individuals wishing to testify at the hearing submit a written notice of intent to Alpine Rose Resorts Hearing, Department of Environmental Protection, Watershed Management Program, 2 Public Square, Wilkes-Barre, PA 18711. The Department will accept notices up to the day of the hearing. The Department requests that individuals limit their testimony to 10 minutes so that all individuals have the opportunity to testify. The Department can only review comments made with regard to the revised NPDES Permit Application No. PAS10S119 documentation and plans. Written copies of oral testimony are requested. Relinquishing time to others will not be allowed. Individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who preregister to testify will be given priority on the agenda.

Persons with a disability who wish to testify and require an auxiliary aid, service or other accommodation should contact Christine Domashinski at (570) 826-2511 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

The revised NPDES permit application documentation and plans are available for review at the Monroe County Conservation District Office, Stroudsburg, PA, (570) 629-3060, or the DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA (570) 826-2511. For further information, contact Mark Carmon of the Department's Northeast Regional Office at (570) 826-2511.

NPDES Stormwater Individual Permit

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

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

NPDES Permit PAS10S119, Stormwater, Alpine Rose Resorts, Inc., 4626 Kathi Drive, Bethlehem, PA 18017-8701, has applied to discharge stormwater associated with a construction activity located in Eldred Township, **Monroe County** to Aquashicola Creek (HQ-CWF) and tributaries thereof. This notice addresses the Department's review and tentative approval of revised permit application documentation and plans submitted by Alpine Rose Resorts, Inc. in accordance with the September 7, 2006 EHB Order, and the Department's tentative determination to issue the permit. The Best Management Practices described in the revised plans submitted with the revised permit application documentation constitute the effluent limitations proposed for the project.

[Pa.B. Doc. No. 07-1290. Filed for public inspection July 20, 2007, 9:00 a.m.]

Bid Opportunities

BOGM 07-8, Cleaning Out and Plugging 11 Abandoned and Orphan Oil Wells, (Keith Horn, John Gentilman, Louise M. Corrigan, Carlene M. Novosel and The United States Department of Agriculture Properties), Wetmore Township, McKean County. The principal items of work include Cleaning Out and Plugging 11 abandoned and orphan oil wells, estimated to be between 1,500—2,450 feet in depth, to the Department of Environmental Protection specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues on July 20, 2007, and bids will be opened on August 23, 2007, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Please contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1291. Filed for public inspection July 20, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Albert Einstein Medical Center for Exception

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

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

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

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

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

[Pa.B. Doc. No. 07-1292. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Children's Hospital of Pittsburgh-North Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Hospital of Pittsburgh-North Sur-

gery Center has requested an exception to the requirements of 28 Pa. Code §§ 555.2 and 555.3(d)(2)(3) (relating to medical staff membership; and requirements for membership and privileges).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 07-1293. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Children's Hospital of Pittsburgh-South Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Hospital of Pittsburgh-South Surgery Center has requested an exception to the requirements of 28 Pa. Code §§ 555.2 and 555.3(d)(2)(3) (relating to medical staff membership; and requirements for membership and privileges).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT)

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

[Pa.B. Doc. No. 07-1294. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Community Medical Center for Exception

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

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

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

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

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

[Pa.B. Doc. No. 07-1295. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Eastern Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Eastern Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

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

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

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

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

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

[Pa.B. Doc. No. 07-1296. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of The Endoscopy Center at St. Mary for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Endoscopy Center at St. Mary has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

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

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

[Pa.B. Doc. No. 07-1297. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Gamma Surgery Center for Exception

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

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

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

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

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

[Pa.B. Doc. No. 07-1298. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Gettysburg Ambulatory Surgical Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gettysburg Ambulatory Surgical Center, LLC has requested an exception to the requirements of 28 Pa. Code § 551.21(d) (relating to criteria for ambulatory surgery).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 07-1299. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Grand View Endoscopy Center at Harleysville for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Grand View Endoscopy Center at Harleysville has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director,

Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 9 (TT).

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

[Pa.B. Doc. No. 07-1300. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Moses Taylor Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Moses Taylor Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1.1.5 (relating to handwashing stations), 4.4.7.1 (Table 2.1-5) (relating to medical gas outlets) and 10.2.1.1(2.1-3) (relating to air infiltration).

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

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

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

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

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

[Pa.B. Doc. No. 07-1301. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Punxsutawney Area Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Punxsutawney Area Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility speci-

cally requests exception from the following standard contained in this publication: 2.1.3.1 (relating to square footage of treatment rooms).

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

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

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

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

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

[Pa.B. Doc. No. 07-1302. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of The Surgery Center of Central PA for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Surgery Center of Central PA has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.1.2.1.3 and 3.7 (2.4.1) (relating to treatment rooms and recovery areas).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980

or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 07-1303. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Temple University School of Podiatric Medicine Ambulatory Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Temple University School of Podiatric Medicine Ambulatory Surgical Center has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 07-1304. Filed for public inspection July 20, 2007, 9:00 a.m.]

Application of Titusville Area Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Titusville Area Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.12-2.1.1.1 (relating to handwashing).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

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

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

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

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

[Pa.B. Doc. No. 07-1305. Filed for public inspection July 20, 2007, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.3 (relating to definitions).

Presbyterian Homes of the Presbytery of Huntingdon
220 Newry Street
Hollidaysburg, PA 16648
FAC ID 162302

Wayne Woodlands Manor
37 Woodlands Drive
Waymart, PA 18472
Facility ID 065902

Belle Haven
1320 Mill Road
Quakertown, PA 18951
Facility ID 024302

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building).

The Village at Luther Square
149 West 22nd Street
Erie, PA 16502

Maple Winds Care Center
4112 Spring Hill Road
Portage, PA 15946
FAC ID 097502

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction).

Lebanon Valley Brethren Home
1200 Grubb Street
Palmyra, PA 17078-3513
Facility ID 380602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(b) (relating to nursing services).

Mercy Jeannette Hospital Skilled Nursing Center
600 Jefferson Avenue
Jeannette, PA 15644
FAC ID 100302

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, paexcept@health.state.pa.us.

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

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotape, Braille), should contact the Division of Nursing Care Facilities at the address or numbers listed previously or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 07-1306. Filed for public inspection July 20, 2007, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Centre County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Acting Director of the Bureau of Design makes the following written finding:

The Federal Highway Administration and the Department of Transportation are planning to replace the existing bridge which carries SR 45 over Penns Creek in Gregg Township, Centre County. This project will require the acquisition of a minor amount of property from the Penns Valley and Brush Valley Rural Historic District.

Information describing the project together with the associated environmental analysis is contained in the Categorical Exclusion Evaluation/Section 2002 Evaluation that was prepared for this project.

The National Register eligible Penns Valley and Brush Valley Rural Historic District is a Section 2002/Section 4(f) resource. Impact to this resource will constitute a use of the Section 2002/Section 4(f) resource.

Based upon studies, there is no prudent and feasible alternative to the proposed action.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It

has been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effects.

BRIAN G. THOMPSON, P. E.,
Acting Director, Bureau of Design

[Pa.B. Doc. No. 07-1307. Filed for public inspection July 20, 2007, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Allegheny County Sanitary Authority v. DEP; EHB Doc. No. 2007-165-R

Allegheny County Sanitary Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Allegheny County Sanitary Authority for a facility in Pittsburgh, Allegheny 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.

THOMAS W. RENWAND,
Acting Chairperson

[Pa.B. Doc. No. 07-1308. Filed for public inspection July 20, 2007, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
125-61	Pennsylvania Gaming Control Board General Revisions; Applications; Licensed Entity Representatives; Manufacturers Licenses; Supplier Licenses; Horsemen's Organizations; Labor Organizations; Junket Enterprises; Management Companies	6/11/07	7/11/07

37 Pa.B. 2197
(May 12, 2007)

Pennsylvania Gaming Control Board Regulation #125-61 (IRRC #2610)

General Revisions; Applications; Licensed Entity Representatives; Manufacturer Licenses; Supplier Licenses; Horsemen's Organizations; Labor Organizations; Junket Enterprises; Management Companies

July 11, 2007

We submit for your consideration the following comments on the proposed rulemaking published in the May 12, 2007 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

1. Fees.—Implementation procedures.

This rulemaking requires applicants to pay certain fees. The fee amounts are posted on the Board's website. A reference to the web listing of the Board's fees should be included in the final-form version of this regulation.

2. Section 421a.1.—General requirements.—Statutory authority; Reasonableness; Need; Clarity.

Subsection (a) reads:

A license, permit, certification or registration issuance, renewal or other approval issued by the Board is a revocable privilege. No person holding a license, permit, certification or registration, renewal, or other approval is deemed to have any property rights.

The second sentence is very broad. The Board needs to explain and clarify the intent of this sentence. If the intent is to limit property rights to any "license, permit, certification or registration issuance, renewal or other approval issued by the Board," then the final-form regulation should specify this intent.

Subsection (c)(2) reads:

(c) By filing an application for a license, permit, certification or registration issuance, renewal or other approval from the Board, an applicant agrees to:

* * * * *

(2) Waive liability as to the Board, its members, its employees, the Pennsylvania State Police, the Commonwealth and its instrumentalities for damages

resulting from disclosure or publication in any manner, other than a willfully unlawful disclosure or publication of material or information acquired during an investigation of the applicant.

The Board should explain both the statutory authority for this provision and the need for requiring an applicant to agree to such an extensive waiver.

3. Section 421a.3. Investigations; supplementary information.—Implementation procedure; Clarity.

Under Subsection (a), the Board may investigate an applicant “as it may deem appropriate either at the time of the initial application *or at any time thereafter.*” (Emphasis added.) Would this provision apply after an application has been granted, denied or withdrawn? If so, we recommend that it be placed in another section of the Board’s regulations pertaining to enforcement.

4. Sections 423a.2—423a.3. Preliminary submission review; Application processing.—Fiscal impact; Reasonableness; Implementation procedure.

These two sections address a preliminary review of applications for completeness and the subsequent review of a complete application. Neither section provides detail on how long the Board has to complete its preliminary or final review of an application. We recommend that the final-form regulation provide timeframes for the review of submissions and applications by the Board.

In addition, Section 423a.2(c) includes a reference to “the time period set by the Board.” This is the period within which the applicant may respond to problems with the application identified during the preliminary review. When and how does the Board set this time period, and how is the applicant notified of the time period?

5. Section 423a.4. Deficient applications.—Reasonableness; Need; Implementation procedure; Clarity.

Subsection (a) includes the phrase “a time period prescribed by the Board.” This is a time period in which an applicant may correct deficiencies in a rejected application. As above, this phrase raises the same concerns as Section 423a.2(c). When and how does the Board set this time period, and how is the applicant notified of the time period?

Subsection (b) reads: “Refusal to provide information as required in subsection (a) may result in the immediate denial of the application.” The concern is that Subsection (a) does not include the words “information” or “required.” Subsection (a) states that the Board will notify an applicant of “deficiencies” in the application and will “permit the applicant to cure the deficiencies.” It does not mention any required information. If the intent is that refusal to respond to deficiencies identified by the Board will result in “immediate denial,” then Subsection (b) should be clarified in the final-form regulation.

5. Section 423a.5. Application withdrawal.—Reasonableness; Need; Implementation procedure.

Subsection (a) requires the filing of a petition to withdraw an application. Why does an applicant have to petition the Board to withdraw an application? Why isn’t a letter from the applicant notifying the Board of the withdrawal sufficient?

Under Subsection (d), why would an applicant’s request for withdrawal of an application be denied?

If a petition for withdrawal is granted without prejudice, Subsection (d)(2) provides that the Board will determine when the applicant may be eligible to reapply. What

criteria will the Board use to make this determination? Similar to Sections 423a.2—3, why isn’t a timeframe included in the regulation?

7. Section 423a.7. Restriction on application after denial or revocation.—Need; Reasonableness; Implementation procedure; Clarity.

Subsection (a) states that a person, whose application was denied or whose license, permit or registration was revoked, may not apply again for five years. Within two years of denial or revocation, Subsection (c) allows a person to file a petition for permission to apply for a license, permit or registration before the expiration of the five-year ban. What are the bases for the five-year ban and the two-year period? What is the need for the two different time periods and a separate petition process? Why not just allow persons to apply again within two years?

8. Section 427a.2. Manufacturer license applications and standards.—Reasonableness; Implementation procedure; Clarity.

Subsection (b)(3) requires an applicant for a manufacturer’s license to demonstrate that they have “the ability” to manufacture, build or repair slot machines. A commentator noted that this provision would prevent new businesses that want to enter this sector of the economy from obtaining licenses because they may not have “the ability” at the time of application. What is the need for this provision? As questioned by the commentator, how does this provision meet the economic development goals of the Pennsylvania Race Horse Development and Gaming Act (4 Pa.C.S.A. §§ 1101—1904) (Act)?

9. Section 427a.5. Responsibilities of a manufacturer.—Need; Reasonableness; Clarity.

Under Subsection (c), a commentator questioned the need for a written agreement between a slot machine licensee and a manufacturer licensee that would allow the slot machine licensee to service or repair slot machines or associated equipment. Since the slot machine licensee owns the equipment, what is the need for the written agreement? If this provision is needed, why is it under a section entitled “responsibilities of a manufacturer”? If it is not needed, it should be deleted from the final-form regulation.

Subsection (d) outlines the type of routine maintenance a slot machine licensee may perform on equipment. As noted in the comments on Subsection (c), what is the need for this provision and why is it in this section?

10. Section 431a.4. Responsibilities of a supplier.—Need; Reasonableness; Clarity.

Subsections (g) and (h) address what slot machine licensees and licensed manufacturers may do to a slot machine. Similar to our concerns above, what is the need for these provisions and why are they under a section entitled “responsibilities of a supplier”?

11. Section 431a.5. Supplier log books.—Reasonableness; Need.

This section requires suppliers to maintain log books to register individuals who enter their place of business. We have two questions. First, what is the need for this requirement?

Second, under Subsection (d), why must a supplier make the books available for inspection by the Department of Revenue or State Police?

12. Chapter 436a. Horsemen's Organizations.—Statutory authority; Reasonableness; Need.

What is the need for requiring horsemen's organizations to file a Horsemen's Organization Registration Statement with the Board? What is the need for requiring officers, directors or representatives of horsemen's organizations to obtain permits from the Board? What is the Board's statutory authority for both of these provisions?

13. Section 436a.1. Definitions.—Consistency with statute; Clarity.

This section provides definitions for the chapter related to horsemen's organizations. The definition of "horsemen" is similar to the definition of "Horsemen of this Commonwealth" found in the Act. The statutory definition differs in that it includes an employee of a trainer. Why was this provision not included in the regulatory definition of "horsemen"?

14. Chapter 438a. Labor Organizations.—Statutory authority; Reasonableness; Need; Clarity.

What is the need for requiring labor organizations to file a Labor Organization Notification Form with the Board? What is the need for requiring officers, agents and management employees of labor organizations to obtain permits from the Board? What is the Board's statutory authority for both of these provisions?

15. Section 439a.1. Definitions.—Reasonableness; Clarity.

The definition of "junket" contains substantive provisions related to the selection or approval of a person to participate in a junket. In the final-form regulation, the Board should delete the substantive provisions from the definition and place them in a section related to the selection or approval of person to participate in a junket.

16. Section 440a.4. Management company responsibilities.—Statutory authority; Fiscal impact; Reasonableness.

A commentator believes the liability imposed on a management company under Subsection (b) is too broad. It believes it is improper to hold the management company liable for the actions of the slot machine licensee outside the purview of the management contract or the operation of the casino. Since the management company can't do anything to prevent violations, it should not be held jointly or severally liable for them. What is the legal justification for this provision?

17. Miscellaneous clarity.

- The term "entity" is used throughout the regulation. The term is not defined in statute or regulation.

- Section 421a.2(a)(5) references "... applicable Federal or state laws or regulations." In order to provide the regulated community with a more precise understanding of what they must comply with, we recommend that the applicable laws or regulations be referenced in the final-form regulation. In the alternative, the subsection should be deleted.

- Section 421a.5(b)(11) uses the phrase "Other evidence deemed relevant by the Board." This phrase is vague. We recommend that the final-form regulation be amended to specify as to what the other evidence must pertain.

- Section 423a.1(e) uses the phrase "... in a form prescribed by the Board." In addition, other provisions in the proposed regulation refer to an "applicable form." The final-form regulation should inform applicants of how to obtain copies of the appropriate forms.

- Section 423a.2 (a)(2) requires that an applicant submit "additional information and accompanying documentation required by the act or the Board's regulations. . . ." What types of additional information and accompanying documentation are to be included in the application?

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 07-1309. Filed for public inspection July 20, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

Julius Berta, M. D.; Prehearing

Appeal of Julius Berta, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-010

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's July 7, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 29, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 24, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 14, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 21, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1310. Filed for public inspection July 20, 2007, 9:00 a.m.]

Community Surgical Associates; Prehearing

Appeal of Community Surgical Associates under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-012

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's May 21, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 28, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 24, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 14, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 21, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1311. Filed for public inspection July 20, 2007, 9:00 a.m.]

Easton Hospital; Prehearing

Appeal of Easton Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-007

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's May 14, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 21, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 17, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 7, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 14, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1312. Filed for public inspection July 20, 2007, 9:00 a.m.]

Gnaden Huetten Memorial Hospital; Prehearing

Appeal of Gnaden Huetten Memorial Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-045

On or before July 20, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's June 8, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 7, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 3, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 24, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 31, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1313. Filed for public inspection July 20, 2007, 9:00 a.m.]

Stephen K. Hasley, M. D.; Prehearing

Appeal of Stephen K. Hasley, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-046

On or before July 20, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's June 11, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 8, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 3, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 24, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 31, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1314. Filed for public inspection July 20, 2007, 9:00 a.m.]

David Isaac, M. D.; Prehearing

Appeal of David Isaac, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-05-034

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's April 20, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 21, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 17, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any,

must be filed on or before August 7, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 14, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1315. Filed for public inspection July 20, 2007, 9:00 a.m.]

Walter Kuhnen, M. D.; Prehearing

Appeal of Walter Kuhnen, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-011

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's July 7, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 29, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 24, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 14, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 21, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1316. Filed for public inspection July 20, 2007, 9:00 a.m.]

Kevin McLaughlin, M. D.; Prehearing

Appeal of Kevin McLaughlin, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-044

On or before July 20, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's June 4, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 7, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 3, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any,

must be filed on or before July 24, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 31, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1317. Filed for public inspection July 20, 2007, 9:00 a.m.]

Moses Taylor Hospital; Prehearing

Appeal of Moses Taylor Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-043

On or before July 20, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's June 4, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 7, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 3, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 24, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 31, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1318. Filed for public inspection July 20, 2007, 9:00 a.m.]

Van D. Nguyen, M. D.; Prehearing

Appeal of Van D. Nguyen, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-015

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's May 27, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 22, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 17, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 7, 2007, with the

Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 14, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1319. Filed for public inspection July 20, 2007, 9:00 a.m.]

Nilesh Arvind Patel, M. D.; Prehearing

**Appeal of Nilesh Arvind Patel, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM07-06-026**

On or before July 24, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's June 8, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 14, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 10, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 31, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 7, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1320. Filed for public inspection July 20, 2007, 9:00 a.m.]

Pleasant Valley Manor, Inc.; Prehearing

**Appeal of Pleasant Valley Manor, Inc. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM07-06-039**

On or before July 20, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's May 18, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 8, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 3, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any,

must be filed on or before July 24, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 31, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1321. Filed for public inspection July 20, 2007, 9:00 a.m.]

Pleasant Valley Manor, Inc.; Prehearing

**Appeal of Pleasant Valley Manor, Inc. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM07-06-040**

On or before July 20, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's May 18, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 8, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 3, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 24, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 31, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1322. Filed for public inspection July 20, 2007, 9:00 a.m.]

Mark B. Real, M. D.; Prehearing

**Appeal of Mark B. Real, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM07-06-014**

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's May 27, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 22, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 17, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 7, 2007, with the

Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 14, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1323. Filed for public inspection July 20, 2007, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's regional offices in Harrisburg and Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Daniel L. Shank; file no. 07-177-36729; Donegal Insurance; doc. no. P07-06-030; August 30, 2007, 10 a.m.

Appeal of Lori and Joseph Walsh; file no. 07-215-35986; Erie Insurance Exchange; doc. no. P07-06-031; August 23, 2007, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending.

Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing, and require

an auxiliary aid, service or other accommodation to participate in the hearing, contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1324. Filed for public inspection July 20, 2007, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's regional offices in Harrisburg and Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Robert and Ethel Esner; file no. 07-266-34934; Peerless Insurance Co.; doc. no. P07-05-024; September 18, 2007, 10 a.m.

Appeal of Eartha Jennings; file no. 07-265-35054; Capitol Insurance Co.; doc. no. PH07-06-009; September 18, 2007, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending.

Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1325. Filed for public inspection July 20, 2007, 9:00 a.m.]

Sacred Heart Hospital; Prehearing**Appeal of Sacred Heart Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM07-05-035**

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's April 26, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 28, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 24, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 14, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 21, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1326. Filed for public inspection July 20, 2007, 9:00 a.m.]

Spring Creek Rehabilitation; Prehearing**Appeal of Spring Creek Rehabilitation under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM07-06-013**

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's May 4, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 28, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 24, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 14, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 21, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1327. Filed for public inspection July 20, 2007, 9:00 a.m.]

Albert D. Sydney, M. D.; Prehearing**Appeal of Albert D. Sydney, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM07-06-005**

On or before August 7, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's April 30, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 21, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 17, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 7, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 14, 2007.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1328. Filed for public inspection July 20, 2007, 9:00 a.m.]

David G. Wilson, M. D.; Prehearing**Appeal of David G. Wilson, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM07-06-042**

On or before July 20, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's June 4, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 8, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 3, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 24, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 31, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1329. Filed for public inspection July 20, 2007, 9:00 a.m.]

Michael A. Wilson, M. D.; Prehearing

Appeal of Michael A. Wilson, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-041

On or before July 20, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's June 4, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 8, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 3, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 24, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 31, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1330. Filed for public inspection July 20, 2007, 9:00 a.m.]

Robert Paul Zimmerman; Prehearing

Appeal of Robert Paul Zimmerman under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-06-048

On or before July 20, 2007, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's May 16, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 7, 2007. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 3, 2007. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 24, 2007, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 31, 2007.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1331. Filed for public inspection July 20, 2007, 9:00 a.m.]

LEGISLATIVE REFERENCE BOARD

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) 783-1530.

Executive Board

Resolution #CB-07-081, Dated April 13, 2007. Authorizes the January 11, 2007, side letter with AFSCME that authorizes service increments for Clerical Workers in the Low-Income Home Energy Assistance Program in the Department of Public Welfare's Office of Income Maintenance. Workers who qualify based on working at least 1,950 hours are eligible for one-step service increment in July 2006 and January 2007.

Resolution #CB-07-095, Dated April 18, 2007. Authorizes the memorandum of understanding between the Commonwealth and the Enforcement Officer 3 Meet and Discuss Unit (K5). The agreement provides for salary adjustments for certain employees to maintain equity with recent pay increases provided to the Liquor Enforcement Officer Rank and File Unit (K4).

Resolution #CB-07-110, Dated May 1, 2007. Authorizes the March 29, 2007, side agreement and memorandum of understanding with AFSCME that establish the Pilot Lottery Incentive Program. The program provides for incentive pay for District Lottery Representatives and District Lottery Supervisors to motivate them to increase the number of retail licensees and total retail sales. The pilot program is effective the period January 1, 2008, through December 31, 2009.

Resolution #CB-07-173, Dated June 27, 2007. Authorizes the implementation of the Collective Bargaining Agreement between the Commonwealth and PSSU effective July 1, 2007, through June 30, 2011.

Resolution #CB-07-176, Dated June 27, 2007. Authorizes the Memorandum of Agreement between the Commonwealth and AFSCME supervisory units effective July 1, 2007, through June 30, 2011.

Resolution #CB-07-179, Dated July 2, 2007. Authorizes the Memorandum of Understanding between the Commonwealth and the UGSOA for the security supervisory unit (R2). The Memorandum of Understanding provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period September 1, 2007, through August 31, 2011.

Resolution #CB-07-180, Dated July 2, 2007. Authorizes the Memorandum of Agreement between the Commonwealth and the UGSOA for the security nonsupervisory unit (R1). The Memorandum of Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period September 1, 2007, through August 31, 2011.

Resolution #OR-07-102, Dated May 10, 2007. Approval to reorganize the Department of Environmental Protection by creating the Data Management and Operations

Division and removing the Project Management Office. It also moves certain functions of the current Project Management Office and the Applications Support Division (Database Administration section, Network Node team, and Statistical Analysis System team) to the Data Management and Operations Division and moves the functions of the Web Content Section to the Applications Support Division.

Resolution #OR-07-103, Dated May 1, 2007. Approval to reorganize the Department of Education by abolishing the Division of School Library Services within the Bureau of Library Development.

Resolution #OR-07-108, Dated May 11, 2007. Authorizes the reorganization for the Department of Public Welfare by consolidating the Bureau of Human Resources' four current divisions into three divisions by abolishing the Division of Human Resource Systems and Employee Benefits; renaming the Division of Position Management to the Division of Human Resource Services; renaming the Division of Employee Relations and Development to the Division of Employee Relations and Workplace Support; and renaming the Division of Human Resource Planning and Analysis to the Division of Human Resource Planning and Development.

Resolution #OR-07-135, Dated June 4, 2007. Authorizes the reorganization for the Department of Public Welfare, Office of Mental Health and Substance Abuse Services by creating the Office of the Medical Director; consolidating the current Bureau of Operations and Quality Management and Bureau of Hospital Operations into the Bureau of Community and Hospital Operations; creating the Division of Hospital Operations and abolishing the Division of Evaluation and MIS and the Division of Program Standards and Licensing; renaming the Bureau of Program and Policy Development to the Bureau of Policy, Planning and Program Development; creating the Division of Substance Abuse Services and renaming within this Bureau the Division of Planning and Policy Development to the Division of Behavioral Health Policy and the Division of Research and Program Development to the Division of Planning and Program Development; abolishing the Bureau of Consumer and Family Affairs; renaming the Division of Medicaid Finance and Financial Review to the Division of Medicaid Finance within the Bureau of Financial Management; and moving the Division of Hospital Administrative Services from the requested consolidated Bureau of Hospital Services to this Bureau.

Resolution #OR-07-149, Dated June 25, 2007. Authorizes the transfer of the Corporation Bureau from the Administration Deputate to the Regulatory Programs Deputate and consolidates the Division of Business Processing, the Division of Customer Service and the Division of UCC and Certification into two divisions, the Division of Business Processing, Certification and UCC and the Division of Operations Support; transfers the Bureau of Commissions, Elections and Legislation (BCEL) to the Administration Deputate and renames the Division of Campaign Finance to the Division of Campaign Finance and Lobbying Disclosure.

Resolution #OR-07-151, Dated June 20, 2007. Authorizes the reorganization for the Department of Health in the Bureau of Human Resources by establishing the Division of Labor Relations and Safety; and renaming the current Division of Equal Employment Opportunity and Training to the Division of Workforce Development and Training.

Governor's Office

Manual M580.2—Furlough of Classified Service Employees Not Covered by Labor Agreements, Amended June 22, 2007.

Management Directive No. 205.9—Implementation of Financial Disclosure Provisions of the Governor's Code of Conduct, Amended April 17, 2007.

Management Directive No. 205.10 AB—Abridged version of Management Directive 205.10, Dated April 17, 2007.

Management Directive No. 205.10—Financial Disclosures Required by the Public Official and Employee Ethics Act, 65 Pa.C.S. §§ 1101—1113, Amended April 17, 2007.

Management Directive No. 205.12—Financial Disclosures Required of Former Employees by the Public Official and Employee Ethics Act, 65 Pa.C.S. §§ 1101—1113, Amended April 17, 2007.

Management Directive No. 230.7—Remittance of Witness Fees, Amended May 24, 2007.

Management Directive No. 230.17—Commonwealth Office of Travel Operations, Dated March 28, 2007.

Management Directive No. 310.30—Pennsylvania Electronic Payment Program (PEPP), Dated May 24, 2007.

Management Directive No. 570.13—State Employees' Retirement System, Regional Field Offices, Amended May 30, 2007.

Administrative Circular No. 07-05—Closing Instruction No. 2, 2006-07 Fiscal Year; Preclosing at May 31, 2007, Dated April 9, 2007.

Administrative Circular No. 07-06—Closing Instruction No. 3, Prior Fiscal Year Appropriations Subject to Act 146 Waivers; Encumbrances Carried Forward From Prior Fiscal Years (Including Contracted Repairs), Dated April 23, 2007.

Administrative Circular No. 07-07—Contingency Plans—2007-2008 Fiscal Year, Dated June 29, 2007.

MARY JANE PHELPS,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 07-1332. Filed for public inspection July 20, 2007, 9:00 a.m.]

NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

Apprentice River Pilot Applications

The Navigation Commission for the Delaware River and its Navigable Tributaries (Commission) announces openings in its apprentice river pilot program. The Commission will accept applications through September 17, 2007. At this time, the Commission anticipates appointing five apprentices in 2007. Interested persons may obtain application forms by contacting the Commission at (717) 787-6458. Persons who previously had an apprentice pilot

application on file with the Commission must file a new application to be considered for appointment as an apprentice pilot.

BARBARA DUPLER,
Commission Administrator

[Pa.B. Doc. No. 07-1333. Filed for public inspection July 20, 2007, 9:00 a.m.]

OFFICE OF THE ATTORNEY GENERAL

Public Meeting

The meeting of the Lobbying Disclosure Regulation Committee (Committee) established under act of November 1, 2006 (P. L. 1213, No. 134) (Act 134) effective January 1, 2007, will be held on Thursday, July 26, 2007, at 9 a.m. in Hearing Room 3, North Office Building, Harrisburg, PA.

The purpose of the meeting will be for the Committee to consider regulations under Act 134 and to receive public comments. Visit www.attorneygeneral.gov for more information and to view a copy of the complete agenda.

THOMAS CORBETT,
Attorney General

[Pa.B. Doc. No. 07-1334. Filed for public inspection July 20, 2007, 9:00 a.m.]

PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

Application for the Volunteer Fire Company and Volunteer Ambulance Services Grant Program

Volunteer fire companies and volunteer ambulance services seeking grants under the Volunteer Fire Company and Volunteer Ambulance Services Grant Program shall submit completed applications no later than 4 p.m. on September 27, 2007. The application for the fiscal years commencing July 1, 2006, and July 1, 2007, shall be a combined application. Written instructions and guidelines for the grant program will be available on line at the Office of State Fire Commissioner, www.osfc.state.pa.us no later than July 28, 2007. Grant applications will be available on line at the Office of State Fire Commissioner, www.osfc.state.pa.us no later than August 14, 2007.

This notice is provided in accordance with the Volunteer Fire Company and Volunteer Ambulance Services Grant Program Act (72 P. S. §§ 3943.1—3944.5).

JAMES R. JOSEPH,
Director

[Pa.B. Doc. No. 07-1335. Filed for public inspection July 20, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

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 August 13, 2007. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-00123627 (Corrected). Esther A. Shinski (P. O. Box 32, Gordonville, Lancaster County, PA 17529-0032)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points located within a 20 mile airline distance of carrier's domicile at 706 Georgetown Road, Paradise, Lancaster County, and from points in said territory to points in the County of Lebanon, and return.

A-00123917. Kenneth Scott Cobb, t/a Kenny's Cab (3014 Derry Steet, Harrisburg, Dauphin County, PA 17111)—certificate of public convenience to begin to transport, as a common carrier, by motor vehicle, persons upon call or demand, from points in the Counties of Dauphin, York, Cumberland and Adams.

A-00123920. A Vital Response, Inc. (550 State Road, Suite 105, Bensalem, Bucks County, Pennsylvania 19020)—persons in paratransit service from points in the Counties of Bucks, Montgomery, Philadelphia and Chester, to points in Pennsylvania, and return. *Attorney:* John M. Kenney, 308 Oxford Valley Road, Langhorne, PA 19047.

A-00123933. Gheorghe Radu, t/a Checker Taxicabs Co. (3230 Asbury Road, Erie, Erie County, PA 16506)—persons, upon call or demand, in the County of Erie.

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

A-00123918. Paul J. Santomauro & Braden E. Snyder, Copartners, t/a Telos II, A General Partnership (212 Markey Street, Apt. 1., Lewisburg, PA 17837)—persons upon call or demand, in the Borough of Danville, Montour County; the Boroughs of Riverside, Milton and Watsontown, Northumberland County and Borough of Lewisburg, Union County, and within an airline distance of 5 statute miles of all limits in said municipalities; which is to be a transfer of all the rights authorized under the certificate issued at A-00113979, to Aurora Taxi, Inc., subject to the same limitations and conditions.

A-00123925. P K Cab Co. (209 Avon Road, Upper Darby, Delaware County, PA 19082) a corporation of the Commonwealth, for the right to begin to transport, as a common carrier, by motor vehicle, persons, upon call or demand, in the City and County of Philadelphia and that area bounded by a line beginning on the north of the Delaware River at the Philadelphia County line, thence northwardly, westwardly and southwestwardly along the Philadelphia County line to Philmont Avenue, thence southwestwardly along Philmont Avenue, Welsh Road, Valley Road, Washington Lane, Township Line to Glenside Avenue (excluding any portion of the Borough of Jenkintown), Easton Road, Church Road and Paper Mill Road to the Philadelphia County line (Stenton Avenue), thence westwardly along the Philadelphia County line and Blue Bell to Joshua Road, thence southwestwardly along Joshua Road to Cedar Grove Road, thence southeastwardly along Cedar Grove Road and the Schuylkill River joining the Philadelphia County line and continuing to Port Royal Avenue, thence across the Schuylkill River to Mill Creek Road, Montgomery County, thence southwestwardly along Mill Creek Road, Lancaster Avenue, Ardmore Avenue into Delaware County, and continuing along Ardmore Avenue, Ellis Road, Lawrence Road and Darby Creek Road to Darby Creek; thence southwardly along Darby Creek to State Road, thence southwardly along State Road, Springfield Avenue, Saxer Avenue, Baltimore Avenue, Woodland Avenue and Kedron Avenue to MacDade Boulevard, thence northeastwardly along MacDade Boulevard to Winona Avenue continuing in a straight line to the Delaware River, and thence northwardly along the Delaware River to the place of beginning and persons upon call or demand in the Boroughs of Norwood, Prospect Park, Ridley Park and Rose Valley, the Townships of Ridley, Tinicum, Nether Providence, the Village of Moylan and including Lester and Essington, all in Delaware County; and said area to points in Pennsylvania, limited to the use of one vehicle; which is to be a transfer of all the rights authorized under the certificate issued at A-00115592, to Gursharan Cab Co., subject to the same limitations and conditions.

Application of the following for amendment to the certificate of public convenience approving the operation applications 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 each application.

A-00123759, F2. Marco & Peter Auto Transit (1715 E. 13th Street, Philadelphia, Philadelphia County, PA 19148)—persons in paratransit service from points in the Counties of Philadelphia, Bucks, Delaware, Chester and Montgomery, to points in Pennsylvania, and return.

Applications of the following for approval to begin operating as a broker for transportation of persons as described under each application.

A-00123929. Jack B. LaForte (1265 Rosecrest Avenue, Monessen, Westmoreland County, PA 15062)—brokerage license—for the transportation of persons between points in Pennsylvania.

A-00123931. Lucia Calabrese Wargo, t/a Crackerjack Tours (P. O. Box 390, South Heights, Beaver County, PA 15081)—brokerage license—for the transportation of persons between points in Pennsylvania.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. New Leasing, Inc. t/a Executive Limo of Erie; Doc. No. A-00111534C0701

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That New Leasing, Inc. t/a Executive Limo of Erie, respondent, maintains a principal place of business at 8670 Peach St., Erie, PA 16509.

2. That respondent was issued a Certificate of Public Convenience by this Commission on April 17, 1995, at Application Docket No. A-00111534.

3. That upon attempting to schedule respondent's annual fleet inspection, it was determined that the respondent no longer operates the business and has not done so since 2004 when the equipment assets were sold to La Grande Elite Limousine at Docket Number A-00116326. There is no record of a certificate transfer and respondent's authority is still shown to be active with this Commission. Respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service.

4. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2) and, by failing to maintain adequate, efficient, and safe service and reasonable facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00111534.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement
Division
Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue an order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience..

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1336. Filed for public inspection July 20, 2007, 9:00 a.m.]

Water Service

A-212285F0147. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval to offer, render, furnish or supply water service to the public in additional portions of Worcester Township, Montgomery County, PA.

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 August 6, 2007. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1337. Filed for public inspection July 20, 2007, 9:00 a.m.]

STATE SYSTEM OF HIGHER EDUCATION

Request for Proposal

RFP-PASSHE-CM & PM-2007; Centrally Held Contracts For Construction and Project Management Services; Category 1. Construction Management Services and Category 2. Project Management Services

The State System of Higher Education (System) is seeking to centrally contract with a number of firms to have professional firms available to perform construction management and project management services for the System, the system's universities, branch campuses, regional centers and other facilities. For the System's institutions, a request for services will either come from the University or from the Office of the Chancellor.

Projects will be located at the 14 State-owned universities (Bloomsburg, California, Cheyney, Clarion, East Stroudsburg, Edinboro, Indiana, Kutztown, Lock Haven, Mansfield, Millersville, Shippensburg, Slippery Rock and West Chester), Dixon University Center in Harrisburg, and the various branch campuses of the Universities. Universities and the Office of the Chancellor will solicit proposals from contracted firms to provide services that include: (1) Construction Management Services; and (2) Project Management Services.

The Request for Proposal (RFP) is available at www.passhe.edu/content/?/office/finance/facilities/procurement/rfp-passhe-cm/pm-2007. Interested and qualified firms can obtain the RFP, preferably from the website or from the Office of the Chancellor, Dixon University Center, Construction Support Office, 2986 North Second Street, Harrisburg, PA 17110-1201. Requests for the RFP can be sent to Dorethe Latin by fax (717) 720-4111, dlatin@passhe.edu. The date of the Preproposal Conference is posted on the website. Responses to the RFP are due on Thursday, August 30, 2007, by 4 p.m.

The System encourages responses from small firms, minority firms, women-owned firms and firms that have not previously worked for the System, and the System will consider joint ventures that enable these firms to participate in System contracts. Nondiscrimination and equal opportunity are the policies of the Commonwealth and the System.

The duration of a contract is 2 initial years, plus 2 optional renewal terms of 2 years each, maximum of 6 years. The contact person is Jame Barbush, Facilities Contracts Manager.

To aid the system in evaluating responses to this RFP and developing a useful list of proposers, all proposers shall submit the following information by e-mail (preferred) or fax:

PROPOSER'S COMPANY NAME
 Proposer's Mailing Address
 (Must provide street address in addition to any P. O. Box in case of express mailing)
 Contact Person's Name
 Contact Person's Title
 Contact Person's Phone, Fax and E-mail address

This information will allow the System to efficiently communicate with Proposers regarding important information, such as Addenda, concerning the RFP.

As the first line of communication from the System to the proposer, e-mail is preferred over mail, phone and fax.

Submit the information by e-mail (preferred) or fax to Dorethe Latin, Construction Support Secretary, dlatin@passhe.edu, fax (717) 720-4111, Office of the Chancellor, Dixon University Center, Construction Support Office, 2986 North Second Street, Construction Support Office, Harrisburg, PA 17110-1201.

JUDY G. HAMPLE,
Chancellor

[Pa.B. Doc. No. 07-1338. Filed for public inspection July 20, 2007, 9:00 a.m.]
