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## January 29, 2005 (Pages 639-726)

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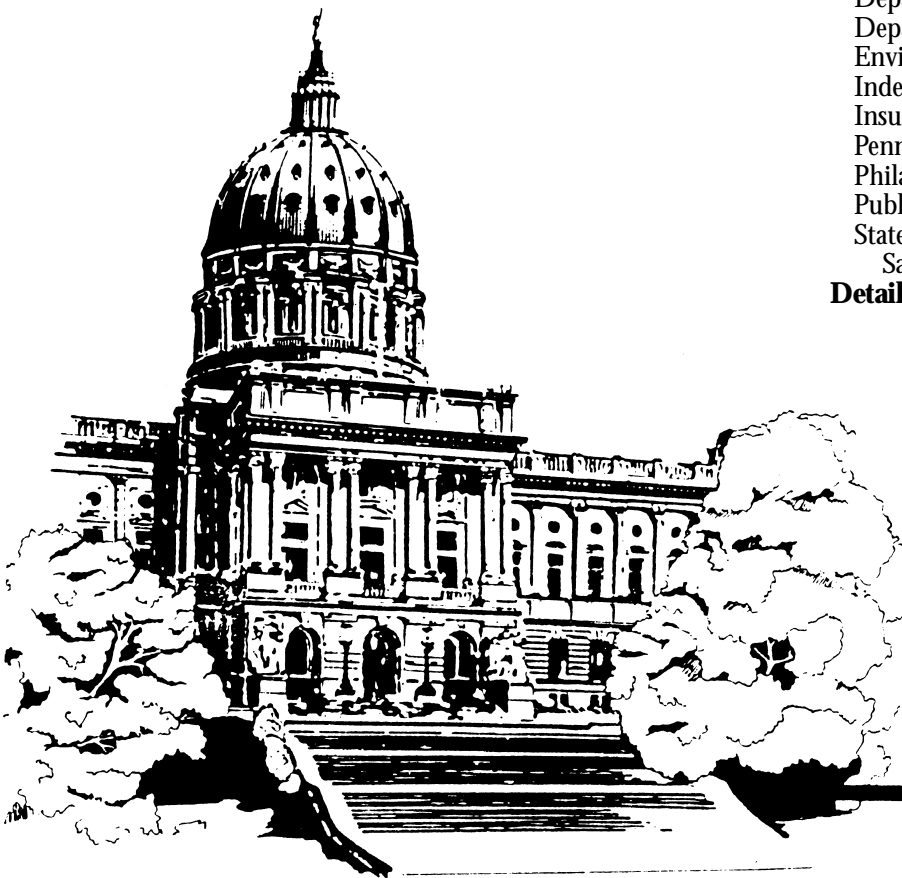
# PENNSYLVANIA BULLETIN

Volume 35  
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Number 5  
Pages 639—726

**Agencies in this issue:**

The General Assembly  
The Courts  
Department of Agriculture  
Department of Banking  
Department of Conservation and Natural Resources  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Labor and Industry  
Department of Transportation  
Environmental Quality Board  
Independent Regulatory Review Commission  
Insurance Department  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
Public School Employees' Retirement Board  
State Board of Vehicle Manufacturers, Dealers and  
Salespersons

**Detailed list of contents appears inside.**



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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 362, January 2005**

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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#### **Printing Format**

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

#### **Fiscal Notes**

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

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

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2005.

<b>4 Pa. Code (Administration)</b>		<b>204 Pa. Code (Judicial System General Provisions)</b>	
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# GENERAL ASSEMBLY COMMISSION ON SENTENCING

## Meetings Scheduled

The Commission on Sentencing announces the following public meetings to be held at The Crowne Plaza Hotel, 23 South Second St., Harrisburg, PA 17101:

Tuesday, February 8, 2005	Public Hearing Proposed Guideline Revisions	4 p.m.
Wednesday, February 9, 2005	Quarterly Commission Mtg.	9 a.m.

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 05-187. Filed for public inspection January 28, 2005, 9:00 a.m.]

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# THE COURTS

## Title 255—LOCAL COURT RULES

### BRADFORD COUNTY

Local Civil Rules 206.4(c), 206.5, 208.2(e), 208.3(a), 208.3(b), 216, 1012, 1028(c), 1034(A), 1035.2(a), 1301, 1301.1, 1302, 1303, 1312, 1915.15, 1919, 1920.12, 2039

#### Order

And Now, this 10th day of January, 2005, the Court hereby adopts the following Bradford County Rules of Civil Procedure, to be effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

It is further ordered that the District Court Administrator shall send seven (7) certified copies of these rules to the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one (1) certified copy to the Civil Procedural Rules Committee, and one (1) copy to the *Bradford County Law Journal* for publication in the next issue of the *Bradford County Law Journal*.

It is further ordered that these local rules shall be kept continuously available in the Prothonotary's Office for public inspection and copying.

By the Court

JEFFREY A. SMITH,  
President Judge

#### Local Rule 206.4(c)

A. The procedure specified in Pa.R.C.P. 206.5 is adopted to govern petition practice in the Forty-second Judicial District. A petition shall be filed in the Prothonotary's Office. Upon filing, the Prothonotary's Office shall transmit a copy of the petition, along with the proposed rule to show cause order, to the Court Administrator for the scheduling of a rule returnable date.

B. Following the scheduling of the return date, the petition and order to show cause shall be submitted to the Prothonotary's Office for filing and docketing and for conforming a copy of the rule return order. A conformed copy of the order shall be transmitted by the Prothonotary to the petitioning party for service.

C. The petitioning party shall file an affidavit of service, noting the date, method of service and parties served.

D. If an answer is filed, the court, upon review, will determine whether a hearing or argument should be scheduled and will enter an order accordingly.

E. Any request for a stay of execution pending disposition of a petition to open a default judgment shall be included in the petition to open default judgment, to be considered and processed in accordance with this rule.

#### Local Rule 206.5

(d) The proposed order required by subparagraph (b) of Rule 206.5 of the Pennsylvania Rules of Civil Procedure shall be substantially in the following form:

(CAPTION)

ORDER

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, upon consideration of the foregoing petition, it is ordered that

(1) a rule is issued upon the respondent to show cause why the petitioner is not entitled to the relief requested;

(2) the respondent shall file an answer to the petition on or before \_\_\_\_\_, 20\_\_, at 12:00 p.m.

(3) the petition shall be decided under Pa.R.C.P. No. 206.7;

(4) depositions, if necessary, shall be directed in accordance with Pa.R.C.P. No. 206.7(c);

(5) argument or hearing, if necessary, shall be scheduled by the court upon review of any answer filed;

(6) the petitioner shall provide notice of the entry of this order to all parties.

BY THE COURT:

\_\_\_\_\_ J.

#### Local Rule 208.2(e)

A. All motions relating to discovery shall include a certification signed by counsel for the moving party attesting that counsel has conferred or attempted to confer with all interested parties in order to resolve the matter without court action.

#### Local Rule 208.3(a)

A. Except for motions made orally during a trial or hearing, all motions shall be written, shall contain a caption setting forth the name of the court, the number of the action, and the names of the parties, and shall have affixed upon the front page of the motion, the name, address and Supreme Court ID number of the filing attorney. All motions which are or may be contested shall include a proposed order scheduling argument. The proposed order shall include the name, address and Supreme Court ID number of the filing attorney. The proposed order shall not be physically attached to the motion.

B. All motions shall be filed in the Prothonotary's Office. Upon filing, the Prothonotary's Office shall transmit a copy of the motion, along with the proposed scheduling order, to the Court Administrator.

C. Following the scheduling of the motion, the motion and order to show cause shall be submitted to the Prothonotary's Office for filing and docketing and conforming of a copy of the scheduling order. A copy of said conformed order shall be transmitted by the Prothonotary to the moving party for service.

D. The moving party shall file an affidavit of service, noting the date, method of service, and parties served.

#### Local Rule 208.3(b)

A. Any party who files a motion which requires argument, shall file a brief containing appropriate authority at least fifteen days prior to the date set for argument. A copy of the brief shall be served promptly upon all other parties. All responding parties shall file a brief and serve the same on all other parties at least five days prior to the date set for argument.

#### [ B.C.R.C.P. 216 ] Rescinded.

#### Local Rule 216

A. Motions for continuance must be made in writing or of record in open court, unless excused by the court for cause.

(1) Before filing a motion for continuance, the moving party shall make reasonable efforts to obtain the consent of any interested party.

(2) Continuances upon the consent of the parties shall not be effective unless and until ordered by the court.

B. Motions for continuances shall be presented no later than ten (10) calendar days before the date of the proceeding for which the continuance is requested. Thereafter, no motions for continuance will be granted unless:

- (1) the opportunity therefore did not previously exist;
- (2) the party making the motion was not aware and reasonably could not be aware of the grounds for the motion; or
- (3) required in the interests of justice.

C. Generally a request for a continuance based on proceedings scheduled in another trial court will be granted only if the other court's scheduling order was issued before the order scheduling the proceedings for which the continuance is requested. If the motion is based on conflict with a matter scheduled in another trial court, the scheduling order or other written documentation from the other court shall be attached to the motion.

D. The motion for continuance shall be substantially in the following form:

VS. : IN THE COURT OF COMMON PLEAS  
 : OF BRADFORD COUNTY,  
 PENNSYLVANIA  
 : NO.

MOTION FOR CONTINUANCE

NOW COMES \_\_\_\_\_, (by and through (his) (her) (its) attorney, \_\_\_\_\_) and moves for a continuance as follows:

1. The above-captioned matter is scheduled for \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ m., before \_\_\_\_\_.
2. The moving party for said proceeding is \_\_\_\_\_.
3. The other parties in the case are: \_\_\_\_\_ represented by: \_\_\_\_\_
4. The proceeding was scheduled by \_\_\_\_\_ dated \_\_\_\_\_.
5. The proceeding (has) (has not) been previously continued (\_\_\_\_\_ time(s)). (The moving party has obtained a continuance \_\_\_\_\_ time(s)).
6. A continuance is requested because \_\_\_\_\_.

(If a continuance is requested because of a conflicting court matter, the scheduling notice or order must be attached.)

- 7.  No interested party objects to the continuance.
- Only the following objected to the continuance request:

\_\_\_\_\_ because \_\_\_\_\_  
 \_\_\_\_\_ because \_\_\_\_\_  
 \_\_\_\_\_ because \_\_\_\_\_

Consent to the continuance could not be obtained from \_\_\_\_\_ because \_\_\_\_\_.

(If a response has not been obtained from any interested party, specify the date, time and manner of all efforts to obtain consent of the continuance.)

8. I hereby certify that if a continuance is granted, I will notify all witnesses who would be appearing at my request and will provide a copy of this motion to opposing counsel and unrepresented parties.

- 9. I specifically request a continuance
- of not less than \_\_\_\_\_
- of not more than \_\_\_\_\_ (or)
- to the next available date.

Respectfully submitted,  
 \_\_\_\_\_  
 \_\_\_\_\_ ADDRESS  
 \_\_\_\_\_  
 \_\_\_\_\_ PHONE NO.  
 \_\_\_\_\_ ATTORNEY SUPREME COURT NO.

E. All written motions for continuance shall be accompanied by a proposed order which shall be substantially in the following form:

VS. : IN THE COURT OF COMMON PLEAS  
 : OF BRADFORD COUNTY,  
 PENNSYLVANIA  
 : NO.

ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, upon consideration of the attached motion of \_\_\_\_\_ (moving party)

requesting a continuance:  
 the motion is denied.  
 the motion is granted and the \_\_\_\_\_ scheduled for \_\_\_\_\_ at \_\_\_\_\_ m. before \_\_\_\_\_ is hereby continued until \_\_\_\_\_ at \_\_\_\_\_ m.

The moving party shall promptly notify all interested parties of this order.

BY THE COURT:  
 \_\_\_\_\_

**Local Rule 1012**

(a) A pleading filed by an attorney shall be deemed to enter the attorney's appearance on that issue. An entry of appearance shall be deemed to be an entry of appearance for all issues unless the entry of appearance specifically provides otherwise.

(b)(1) Withdrawal of an attorney's appearance may be made without leave of court only for those issues for which another attorney has entered or simultaneously enters an appearance. Such withdrawal shall specifically identify the issues to which the withdrawal applies.

**Local Rule 1028(c)**

(3) All preliminary objections shall be written, shall contain a caption setting forth the name of the court, the number of the action, the names of the parties and shall have affixed upon each page of the motion, the name, address and Supreme Court ID number of the filing attorney. A motion for argument and a proposed scheduling order in substantially the following form shall be included:

IN THE COURT OF COMMON PLEAS  
OF BRADFORD COUNTY, PENNSYLVANIA

VS. : NO.

MOTION FOR ARGUMENT

AND NOW, \_\_\_\_\_, I move the court to set the \_\_\_\_ day of \_\_\_\_\_, 200\_\_, at \_\_\_\_ m. in Courtroom No. \_\_\_\_ Towanda, Pennsylvania, as the time and place for argument on preliminary objections.

I hereby state to the court that service will be made of a copy of the completed motion for argument upon all other parties or their attorneys of record in this proceeding; that if not already served, service will be made on the aforesaid of a copy of the pleading which raise the issues in dispute; that all will be done in accordance with the applicable rules regarding service. I further state that my affidavit of service will be filed thereafter.

BY: \_\_\_\_\_

ORDER

AND NOW, \_\_\_\_\_, the above motion for time and place for argument is granted. The party filing who filed the preliminary objections, shall file a brief at least fifteen days prior to said argument. Immediately thereafter a copy of said brief shall be served upon all counsel of record and all unrepresented parties.

At least five days prior to the argument, the responding party shall file a brief and shall serve said brief upon all counsel of record and all unrepresented parties.

BY THE COURT:

\_\_\_\_\_ J.

(4) All preliminary objections shall be filed in the Prothonotary's Office. Upon receipt of the preliminary objections, the Prothonotary's Office shall transmit a copy of the same, along with the motion for argument thereon and the proposed scheduling order, to the Court Administrator.

(5) Following the scheduling of the preliminary objections, court administration shall return the copy of the preliminary objections to the Prothonotary's Office, along with the motion for argument thereon and the proposed scheduling order, for filing and docketing and for conforming a copy of the scheduling order. A conformed copy of the order shall be transmitted by the Prothonotary to the moving party for service. The moving party shall file an affidavit of service, noting the date of service, method of service, and parties served.

**Local Rule 1034(a)**

(1) All motions for judgment on the pleadings shall be written, shall contain a caption setting forth the name of the court, the number of the action, and the names of the parties and shall have affixed upon each page of the motion, the name, address and Supreme Court ID number of the filing attorney. A motion for argument and a proposed scheduling order in substantially the following form shall be included:

IN THE COURT OF COMMON PLEAS  
OF BRADFORD COUNTY, PENNSYLVANIA

VS. : NO.

MOTION FOR ARGUMENT

AND NOW, \_\_\_\_\_, I move the court to set the \_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_ m. in Courtroom No. \_\_\_\_ Towanda, Pennsylvania, as the time and place for argument on my motion for judgment on the pleadings.

I hereby state to the court that service will be made of a copy of the completed motion for argument upon all other parties or their attorneys of record in this proceeding; that if not already served, service will be made on the aforesaid of a copy of the motion for judgment on the pleadings which raises the issues in dispute; that all will be done in accordance with the applicable rules regarding service. I further state that my affidavit of service will be filed thereafter.

BY: \_\_\_\_\_

ORDER

AND NOW, \_\_\_\_\_, the above motion for time and place for argument is granted. The party filing who filed the motion for judgment on the pleadings, shall file a brief at least fifteen days prior to said argument. Immediately thereafter, a copy of said brief shall be served upon all counsel of record and all unrepresented parties.

The responding party shall file a brief at least five days prior to the argument and shall serve said brief upon all counsel of record and all unrepresented parties.

BY THE COURT:

\_\_\_\_\_

(2) All motions for judgment on the pleadings shall be filed in the Prothonotary's Office. Upon receipt of the motion, the Prothonotary's Office shall transmit a copy of the motion, along with the motion for argument and proposed scheduling order, to the Court Administrator.

(3) Following the scheduling of the motion for judgment on the pleadings, court administration shall return the copy of the motion, along with the motion for argument and the scheduling order, to the Prothonotary's Office for filing and docketing and for conforming a copy of the scheduling order. A conformed copy of the order shall be transmitted by the Prothonotary to the moving party for service. The moving party shall file an affidavit of service, noting the date, method of service and parties served.

**Local Rule 1035.2(a)**

(1) All motions for summary judgment shall be written, shall contain a caption setting forth the name of the court, the number of the action, the names of the parties and have affixed upon each page of the motion, the name, address and Supreme Court ID number of the filing attorney. A motion for argument and a proposed scheduling order in substantially the following form shall be included:

IN THE COURT OF COMMON PLEAS  
OF BRADFORD COUNTY, PENNSYLVANIA

VS. : NO.

MOTION FOR ARGUMENT

AND NOW, \_\_\_\_\_, I move the court to set the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ m. in Courtroom No. \_\_\_ Towanda, Pennsylvania, as the time and place for argument on my motion for summary judgment.

I hereby state to the court that service will be made of a copy of the completed motion for argument upon all other parties or their attorneys of record in this proceeding; that if not already served, service will be made on the aforesaid of a copy of the motion which raises the issues in dispute; that all will be done in accordance with the applicable rules regarding service. I further state that my affidavit of service will be filed thereafter.

BY: \_\_\_\_\_

ORDER

AND NOW, \_\_\_\_\_, the above motion for time and place for argument is granted. The party filing who filed the motion for summary judgment, shall file a brief at least fifteen days prior to said argument. Immediately thereafter, a copy of said brief shall be served upon all counsel of record and all unrepresented parties.

The responding party shall file a brief at least five days prior to the argument and serve said brief upon all counsel of record and all unrepresented parties.

BY THE COURT:

(2) All motions for summary judgment shall be filed in the Prothonotary's Office. Upon receipt of the motion, the Prothonotary's Office shall transmit a copy of the motion, along with the motion for argument and the proposed scheduling order, to the Court Administrator.

(3) Following the scheduling of the motion, court administration shall return the copy of the motion for summary judgment, motion for argument and the scheduling order to the Prothonotary's Office for filing and docketing and for conforming a copy of the scheduling order. A conformed copy of the order shall be transmitted by the Prothonotary to the moving party for service. The moving party shall file an affidavit of service, noting the date, method of service, and parties served.

CIVIL PROCEDURE 1301

**1301. Cases for Submission**

A. Compulsory arbitration as authorized by Section 7361 of the Judicial Code, 42 Pa.C.S.A. Section 101, et seq, shall apply to all civil cases [ **wherein** ], **except actions in equity, where** the amount in controversy, exclusive of interest and costs, shall be twenty-five thousand dollars [ **(\$20,000.00)** ] **(\$25,000.00)** or less, including appeals from a civil judgment of a district justice [ **except those involving title to real estate or actions in equity** ]. Such actions shall be submitted to and heard by a board of arbitration consisting of three attorneys.

B. The amount in controversy generally will be determined by the pleadings or by an agreement of the attorneys, however, the court, on its own motion or on the motion of any party, may **determine**, based upon affidavits, depositions, stipulations of counsel or after hearing [ **determine** ] or **review of the record**, that the

amount actually in controversy does not exceed twenty-five thousand dollars [ **(\$20,000.00)** ] **(\$25,000.00)** and **may** enter an order certifying the case to a board of arbitration. In the event that a case within the arbitration limits is consolidated with a case involving more than the arbitration limits after the former has been referred to a board of arbitrators, the order of consolidation [ **will** ] **shall** remove the same from the jurisdiction of the board of arbitrators.

C. A civil action [ **will** ] **shall** be referred to arbitration by order of court or when [ **either** ] any party or its counsel (1) files a praecipe with the Prothonotary, certifying that the pleadings are closed and the matter is ready for arbitration and (2) **pays the appropriate listing fee**. A copy of the arbitration praecipe shall immediately be delivered to the Court Administrator and all other counsel.

D. Cases subject to compulsory arbitration will not be scheduled for a pre-trial conference. [ **Such** ], **however, all** cases will [ **, however,** ] come under the caseflow control of the court administrator.

**1301.1 Agreement of Reference.**

[ **Cases, whether or not in litigation and regardless of the amount in controversy, may be heard by a board of arbitration upon agreement of counsel for all parties in the case.** ] Upon agreement of all parties a case may be heard by a board of arbitration, regardless of the amount in controversy and whether or not in litigation. Such agreement shall be evidenced by a writing signed by all parties or their counsel [ **for all sides** ] and shall be filed with the Prothonotary, [ **who** ] accompanied by the appropriate listing fee. The Prothonotary will forward a copy of the agreement to the Court Administrator. Said agreement shall define the issues involved for determination by the board of arbitrators and may contain stipulations with respect to facts.

**1302. Selection of Arbitrators.**

A. The Court Administrator shall maintain a [ **Master List** ] master list of [ **Arbitrators** ] arbitrators consisting of attorneys actively engaged in the practice of law primarily in Bradford County. The [ **Master List** ] master list shall be maintained in alphabetical order, except for those [ **submitted** ] attorneys admitted or added at a later date, in which case they shall be added chronologically based upon the date of [ **application** ] their admission. The [ **Master List** ] master list shall indicate the [ **Attorney's** ] attorney's name, [ **Bar Admission Date** ] bar admission date, and the name of the attorney's firm or association [ **name** ].

B. [ **The Court Administrator shall assign each case for which a Praecipe has been received** ] Each case for which a praecipe has been received shall be assigned by the Court Administrator to an Arbitration Board consisting of three (3) [ **members** ] attorneys chosen from the [ **Master List** ] master list. At least one [ **Arbitrator** ] arbitrator shall have practiced law for at least three (3) years. No two members shall be appointed from the same firm or association of attorneys, nor shall an attorney be appointed to a [ **Board who shall be** ] board if related by blood or marriage [ **or**

who shall be a law partner or an associate of ] to any arbitrator or attorney of record in the case. Any attorney who [ shall be ] is disqualified for appointment to a [ Board ] board for any of the foregoing reasons, shall be appointed to another [ Board ] board for which he [ shall not be disqualified ] is qualified.

(1) The [ Praecept ] praecipe for [ Arbitration ] arbitration shall be substantially in the following form:

IN THE COURT OF COMMON PLEAS  
OF BRADFORD COUNTY, PENNSYLVANIA

VS. \* NO.  
\*  
\*

PRAECIPE FOR APPOINTMENT OF ARBITRATORS  
TO THE PROTHONOTARY OF SAID COURT:

The undersigned requests you to refer this case to the Court Administrator to appoint a [ Board ] board of [ Arbitrator ] arbitrators and certifies that:

1. The amount in controversy is \$ \_\_\_\_ .
2. The pleadings are closed.
3. An agreement of reference has/has not been filed of record.
4. Estimate of hearing time required is: \_\_\_\_ .  
Record appearances have been entered for:  
Plaintiff by:  
Defendant by:  
Others (specify) by:  
\_\_\_\_\_  
Attorney for \_\_\_\_\_  
Supreme Court ID # \_\_\_\_\_

C. The court [ of Common Pleas ] will establish the amount and method of compensation for arbitrators. The members of the board shall not be entitled to receive their fees until after filing a report and award with the Prothonotary. A copy of said award shall be forwarded to the Court Administrator so that payment may be processed.

**1303. Hearing. Notice.**

A. The Court Administrator shall fix a time, date and place of hearing, and shall notify the [ Arbitrators ] arbitrators, all counsel of record, and any unrepresented parties. The [ Hearing ] hearing notice shall contain the following statement: "This matter will be heard by a board of arbitrators at the time, date and place specified; but if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge."

B. All requests for continuances shall be in writing in the form set forth by local rule and shall be submitted to the Court Administrator. No continuances which have been submitted less than seven (7) days prior to the date of hearing shall be granted, except for extenuating circumstances and, in those instances, [ consideration will be given to requiring ] the party requesting the continuance may be required by the court to pay the [ Board ] board of [ Arbitrator ] arbitrator fees.

C. In the event that a case settles after an arbitration hearing has been scheduled, the plaintiff shall serve a copy of the discontinuance on the court administrator prior to the date of arbitration. Failure to do so, may result in the arbitrator costs being assessed upon the plaintiff.

D. At least seven (7) days before the date of the arbitration hearing, all parties shall file a trial memorandum with the Prothonotary and shall serve a copy on each party.

The trial memorandum shall include the following information:

- (1) A brief statement of the facts of the claim or defense.
- (2) A statement of the legal basis of the claim or defense.
- (3) A list of all special damages claimed, including but not limited to lost earnings, loss of future earnings capacity, itemized medical expenses, and property damages.
- (4) A list of the names and addresses of all witnesses whom that party intends to call at arbitration.
- (5) A list of all exhibits to be offered by that party at arbitration. All exhibits shall be numbered prior to the arbitration.
- (6) Special comments regarding legal issues.
- (7) A certification that the attorney or party has made a reasonable effort to stipulate or agree to all undisputed issues of fact or law which would expedite the arbitration of the matter.

E. It is expected that the memorandum will not exceed two pages, except in unusual cases.

F. Except in extraordinary circumstances as determined by the arbitrators, a party will not be allowed to call a witness who is not listed in a timely-filed arbitration memorandum.

G. Except in extraordinary circumstances as determined by the arbitrators, a party will not be allowed to offer an exhibit that is not listed in a timely-filed arbitration memorandum.

**1308. Arbitration Appeal.**

An appeal from an award of arbitrators shall be filed in duplicate in the Office of the Prothonotary [ in duplicate ]. [ The ] A copy of [ said ] the appeal shall be transmitted immediately by the Prothonotary to the Court Administrator. [ The ] Immediately following the receipt of said copy, the Court Administrator [ will ] shall schedule a pre-trial conference [ on the case immediately following receipt of said copy ] and shall send notice thereof to counsel of record and any unrepresented parties.

**1312. Award.**

- A. The oath or affirmation shall be administered by the Prothonotary.
- B. The Arbitration Report and Award shall be in the form set forth in Pa.R.C.P. 1312.

**Rule 1915. Custody****Rule 1915.15 Form of Complaint. Order.**

(1) In addition to the information required by Pa.R.C.P. 1915.15, every [ **Complaint** ] **complaint** for [ **Custody** ] **custody**, [ **Partial Custody** ] **partial custody**, or [ **Visitation** ] **visitation** shall contain one of the following averments:

A. "Plaintiff has been advised of the requirement to attend the seminar titled [ **"Children Cope With Divorce"** ] **Education Program for Separated Parents.**"

or

B. "The parties have previously attended the [ **"Children Cope With Divorce"** ] **Education Program for Separated Parents** as evidenced by certificates of attendance (attached hereto) (contained in the official court file case number \_\_\_\_\_)."

(2) The [ **Order** ] **order** and [ **Notice** ] **notice** shall also include the following:

"The parties are directed to pre-register with the Court Administrator and attend the [ **"Children Cope With Divorce" seminar** ] **Education Program for Separated Parents** on one of the two dates listed below:

Tuesday, \_\_\_\_\_, 6:00 p.m. to 10:00 p.m.

Saturday, \_\_\_\_\_, 8:30 a.m. to 12:30 p.m."

or

"The parties have previously attended the [ **"Children Cope With Divorce" program** ] **Education Program for Separated Parents** as evidenced by certificates of attendance (attached hereto) (contained in the official court file case number \_\_\_\_\_)."

**Rule 1919. Mandatory Seminar for [ **Separating** ] **Separated Families****

1. In all divorce and custody proceedings filed on or after December 1, 1994, and in such other cases as the [ **Court** ] **court** shall direct, where the interests of children under the age of 18 years are involved, [ **the parties shall,** ] within thirty (30) days of the date a custody, visitation or divorce claim is filed, **the parties shall** attend a four-hour seminar [ **entitled "Children Cope With Divorce"** ] **titled "Education Program for Separated Parents."** If service of the complaint is not made within ten (10) days of filing, the [ **Plaintiff** ] **plaintiff** shall immediately notify the Court Administrator and shall thereafter provide the Court Administrator with proof of service within five (5) days of service.

*NOTE: See the [ **"Children Cope With Divorce" program** ] **"Education Program for Separated Parents"** description following this [ **Rule** ] **rule.***

2. In all custody/visitation proceedings filed on or after December 1, 1994, each [ **Notice Order** ] **notice order** and complaint shall include the additional information in accordance with Bradford County Civil Rule 1915.15

3. In all divorce proceedings filed on or after December 1, 1994, where the parties have a child or children under the age of eighteen years, every complaint shall contain the additional information required by Bradford County Civil Rule 1920.12. It shall also have attached thereto an

[ **Order** ] **order** directing attendance at the [ **Seminar** ] **seminar** in the form set forth in Rule 1920.12(3).

4. The moving party shall serve the responding party with a copy of the [ **Court Order** ] **court order** directing attendance at the [ **Seminar** ] **seminar** at the time a divorce complaint is served. A program brochure/registration form [ **and a copy of the Instruction Sheet** ] shall also be provided by the moving party to the responding party at the time of service of the complaint.

5. The affidavit of service shall include a statement that the opposing party was advised of the requirement to attend the [ **"Children Cope With Divorce" program** ] **Education Program for Separated Parents** and was served with the registration form [ **and Instruction Sheet** ].

6. Within seven (7) days after service, both parties are required to register for the program by mailing or personally presenting the pre-printed [ **"Children Cope With Divorce"** ] **Education Program for Separated Parents** registration form, along with a registration fee of \$35.00 (check or money order) to the Court Administrator, Bradford County Courthouse, 301 Main Street, Towanda, PA 18848. [ **Any** ] **A** waiver or reduction of the attendance fee can [ **only** ] be granted **only** by the Court Administrator in consultation with the [ **Court** ] **court.**

7. Court approval is required for an extension of time to complete the seminar.

8. Parents living outside of Bradford County [ **shall** ] **may** contact the Court Administrator for possible alternative program attendance.

9. Upon completion of the seminar, each participant will receive a copy of a certificate verifying that they have attended the program. The original certificate will be placed in the official court file. [ **No custody trial shall be held or final order entered until both parties have completed the program unless the Court has waived this requirement for good cause shown.** ]

10. Failure to register for and complete the program may result in a finding of contempt and the imposition of sanctions.

[ **BRADFORD COUNTY COURT OF COMMON  
PLEAS  
CHILDREN COPE WITH DIVORCE** ]  
**EDUCATION PROGRAM FOR SEPARATED  
PARENTS**  
PROGRAM GOALS

[ **"Children Cope With Divorce"** ] **"Education Program for Separated Parents"** will provide parents with information, support and direction that will facilitate a healthy adjustment for their children. Bitterness often ensnares children caught between divorcing parents. In an effort to reduce the emotional toll on children and to limit acrimony, attendance at this four-hour educational seminar is required by the court of all parties in all divorce, custody and visitation actions, and such other family court actions as the [ **Court** ] **court** may deem appropriate. This program will also be open to educators and [ **other persons** ] **others** involved in caring for children. Administration of the program will be through the Court of Common Pleas of Bradford County.

PROGRAM CONTENT

The **three-and-one-half** to four-hour program provides parents with information about the developmental stages and needs of children, with emphasis on fostering the child's emotional health during periods of stress. The program is informative, **and** supportive, and will **[ give ] provide** parents a list of community resources. **[ Topics will also ]** Also included as topics are: typical reactions of families **to separation**, stress indicators in children, pitfalls to avoid, and skills to help children work through stress.

WHEN

The program is presented **[ twice each month ] eighteen times per year**, alternating between Tuesday evenings, from 6:00 p.m. until 10:00 p.m., and Saturday mornings from 8:30 a.m. to 12:30 p.m. **in accordance with a schedule distributed along with the annual court calendar.**

WHERE

The program is presented at **[ The Children's House, near the Towanda Memorial Hospital ] the Bradford County Courthouse, Towanda, Pennsylvania, in court room no. 2.**

ATTENDANCE

Attendance at the program is required of all parties involved in divorce and custody/visitation cases where the interests of children under the age of 18 years are at issue. The **[ Court ] court** may also order attendance in certain instances in other family court cases.

A waiver of attendance will be provided for individuals who have attended **[ a ] an equivalent program [ of equal value. They will need to document for the Court ]**, however, **documentation of participation in a similar program or counseling experience [ where the educational information was covered ] must be provided to the court. [ Any ] Allowance of any waiver [ must be determined by ] is at the discretion of the [ Court ] court.**

FEES

A fee of \$35.00 per party is required and is used to cover all costs of the program, including the presenter's fees, handouts, applications, and program administration. The Court Administrator, in consultation with the **[ Court ] court**, will determine whether any fee will be reduced or waived. **PRE-PAYMENT IS REQUIRED. ALL fees must be in the form of check or money order.**

PRESENTERS

The presenters have **[ received training from Families First, Atlanta, GA ] been approved by the court** and will present the programs pursuant to an agreement with the **[ Court ] court.**

APPLICATION PROCESS

Upon initiation of a divorce/custody/visitation filing, both parties will receive a brochure about the program. The brochure will include a registration form **[ and an instruction sheet ]** describing registration and payment methods. **[ These documents ] This document** will be served along with the pleading. Registration **[ will ] may be made** by mail or in person at the Office of the Court

Administrator **and must be completed** at least three days prior to the scheduled seminar. **[ The registration process is designed to maximize safety to the participants. For safety purposes, participants are asked to indicate if they prefer not to attend the same seminar as the other parent. ]** There are NO WALK-IN ADMISSIONS.

VERIFICATION

An alphabetical list of all parties participating in the program will be provided to the presenters prior to each session. This list will be used by the presenters, the facilitator, **the security officer**, and the **[ Court ] court**. Upon completion of the seminar, each parent will receive a copy of a certificate verifying that they have attended the course. The original certificate will be placed in the official court file.

SECURITY

A **[ peace ] deputy sheriff or other security officer** will be present throughout the seminar to ensure safety for all participants. The material that is presented is emotionally charged. Although every effort is made to maintain a light, open atmosphere in the presentation of the material, the orientation the participants bring to the seminar can produce very powerful reactions.

MONITORING AND EVALUATION

Each participant will complete a written evaluation of the seminar at its conclusion, indicating their individual assessment of the value of the program and any suggestions for future programs.

**Rule 1920. Actions of Divorce or Annulment.****Rule 1920.12 Complaint**

(1) In addition to the information required by Pa.R.C.P. 1920.12, every **[ Complaint ] complaint in [ Divorce ] divorce** shall contain one of the following averments:

A. Plaintiff avers that there are no children under the age of eighteen (18) years born of the marriage; or

B. Plaintiff avers that there are children under the age of eighteen (18) years born of the marriage, namely **[ to wit ]**: (list names and dates of birth).

(2) If there are children under the age of eighteen (18) years born of the marriage, the complaint shall include one of the following averments:

A. "Plaintiff has been advised of the requirement to attend the **[ seminar "Children Cope With Divorce ] Education Program for Separated Parents,**"

or

B. "The parties have previously attended the **[ "Children Cope With Divorce" program ] Education Program for Separated Parents** as evidenced by certificates of attendance **attached hereto** (contained in the official court file **case number \_\_\_\_\_**.)"

(3) In the event there are children under the age of eighteen (18) years of age born of the marriage, and there is no averment that the parties previously attended the **[ "Children Cope With Divorce" program, ] Education Program for Separated Parents**, the divorce complaint shall have attached thereto, an order in substantially the following form:



: IN THE COURT OF COMMON PLEAS  
 VS. : OF BRADFORD COUNTY,  
       PENNSYLVANIA  
 : NO.

---

ORDER OF COURT

AND NOW, \_\_\_\_\_, 20\_\_ , a [ **Complaint** ]  
**complaint** in [ **Divorce** ] **divorce** being filed herewith  
 which avers that there are children of the marriage under  
 the age of eighteen (18) years of age, and that the parties  
 have not yet attended the [ **“Children Cope With  
 Divorce” program** ] **“Education Program for Sepa-  
 rated Parents,”** the [ **Court** ] **court** directs that the  
 parties shall pre-register with the Court Administrator  
 and shall attend the [ **“Children Cope With Divorce”  
 seminar** ] **“Education Program for Separated Par-  
 ents”** on one of the two dates listed below:

- Tuesday, \_\_\_\_\_, 6:00 p.m. to 10:00 p.m.
- Saturday, \_\_\_\_\_, 8:30 a.m. to 12:30 p.m.

BY THE COURT:  
 \_\_\_\_\_ J.

**Local Rule 2039. Compromise, Settlement, Discon-  
 tinuance and Distribution**

(a)(1) **Petitions for approval of settlement or com-  
 promise in matters in which a minor has an inter-  
 est shall be filed in the Orphans’ Court Division  
 where the minor resides if no suit has been previ-  
 ously filed in the Prothonotary’s Office under the  
 docket number of a previously filed suit.**

- (2) **The petition shall set forth:**
  - (a) **the factual background of the claim;**
  - (b) **the identification of the parties including the  
 age of the minor and the addresses of the biological  
 parents of the minor;**
  - (c) **counsel’s analysis of the liability and damages  
 issues relevant to the determination of the reason-  
 ableness of the proposed settlement;**
  - (d) **counsel’s certification that the settlement is  
 reasonable and in the best interest of the minor;**
  - (e) **the types and amounts of insurance coverage  
 applicable to the claim and representation as to the  
 efforts made to identify other collateral sources;**
  - (f) **whether there are any unpaid Medicare or  
 Department of Public Welfare liens, claims or debts.  
 Where such claims or debts have been waived, the  
 Petitioner shall attach as an exhibit written proof  
 of waiver of such lien, claim or debt;**
  - (g) **a request for authorization of parent or natu-  
 ral guardian to sign the proposed release;**
  - (h) **a description of the type of account into  
 which the settlement proceeds will be deposited;**
  - (i) **a statement of the proposed distribution of the  
 settlement funds which includes the proposed per-  
 centage of counsel fees and an itemization of costs.**

- (3) **The petition shall contain the following exhib-  
 its:**
  - (a) **copies of medical reports or records evidenc-  
 ing the diagnosis and prognosis of the minor’s  
 injuries;**

(b) **investigative or police accident reports which  
 provide background information regarding the in-  
 cident which caused the minor’s injuries;**

(c) **the counsel fee agreement with the parents or  
 natural guardians of the minor executed by any  
 attorney seeking recovery of counsel fees;**

(4) **Any amendments or supplements to the peti-  
 tion required by the court shall be filed of record.**

(5) **The court may approve a petition without a  
 hearing. If the court schedules a hearing, the court  
 may require evidence which the court deems neces-  
 sary to determine whether the proposed settlement  
 adequately protects the minors interests, including  
 the testimony of the guardian, the treating physi-  
 cian, or the representative of the financial institu-  
 tion responsible for the investment of settlement  
 funds.**

(6) **The court may require a hearing on the issue  
 of counsel fees if the court believes the fees may be  
 excessive.**

(7) **Except as otherwise required by the court, the  
 appearance of the minor shall not be required.**

(8) **The petitioner shall attach a proposed order  
 which sets forth:**

- (a) **the court’s authorization for the petitioner to  
 enter into a settlement and release on behalf of the  
 minor;**
- (b) **reference to the total amount of the settle-  
 ment;**
- (c) **a complete statement of the distribution of the  
 settlement amount as set forth in the petition;**
- (d) **identification of the type of account to be  
 utilized, which account shall comply with P.A.R.C.P.  
 2039, including a provision that no withdrawal  
 shall be made from any such account except by a  
 prior order of court or until the minor attains  
 majority;**
- (e) **a provision that counsel shall provide the  
 court with an affidavit of deposit of minor’s funds  
 within ten days from the date of the order.**

(9) **In appropriate cases, the court will authorize  
 the parent or natural guardian to deposit cash to  
 be paid for the benefit of the minor into an interest  
 bearing, restricted account, insured by the Federal  
 government.**

[Pa.B. Doc. No. 05-188. Filed for public inspection January 28, 2005, 9:00 a.m.]

NORTHAMPTON COUNTY

Rule of Civil Procedure N1042.21; Misc. No. C-48-  
 CV-2005-259

Order of Court

*And Now*, this 13th day of January, 2005, Northampton  
 County Rule of Civil Procedure N1042.21 (Mediation of  
 Medical Professional Liability Actions) is hereby adopted  
 as follows. The rule is effective immediately.

*By the Court*

ROBERT A. FREEDBERG,  
*President Judge*

**N1042.21. Mediation of Medical Professional Liability Actions.**

a. Upon the entrance of an order for mediation of a medical professional liability action, after conference with counsel, the court shall appoint a mediator.

b. The mediation shall be conducted in the manner designated by the mediator.

c. Counsel fully familiar with the action shall appear at the mediation. All parties shall be present. Counsel shall have available either in person or by telephone individuals empowered to enter into settlement agreements in the action. Upon failure to comply with this provision, the court may, upon motion of the mediator or any party, impose appropriate sanctions.

d. Compensation for the mediator shall be at the rate of \$150.00 per hour. A deposit of \$500.00 shall be paid to the mediator upon entrance of the order for mediation.

e. The mediation shall occur within such time as not to unreasonably delay trial, and not more than 60 days from entrance of the order for mediation. The mediator shall report the results to the court.

**Comments:** An order for mediation may result on a motion pursuant to PA.R.C.P. 1042.21, or upon joint motion of plaintiff and a healthcare provider defendant at any time. The costs of the mediation process shall be paid by the moving party or parties. Mediation communications and documents are confidential. 42 PA.C.S.A. § 5949.

[Pa.B. Doc. No. 05-189. Filed for public inspection January 28, 2005, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Transfer of Attorneys to Inactive Status

Notice is hereby given that the following attorneys have been transferred to inactive status by Order of the Supreme Court of Pennsylvania dated December 13, 2004, pursuant to Rule 219, Pa.R.D.E. The Order became effective January 12, 2005.

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

Abdur-Razzaq, Jacqueline Ola  
Sicklerville, NJ

Addanki, Vasudev N.  
Chicago, IL

Agiliga, Alexander Nnanna  
Takoma Park, MD

Ahmad, Sarah  
Washington, DC

Altieri, Anne Marie  
Manaqua Nicaragua

Barbin, Bradley Davis  
Glastonbury, CT

Behunin, Michael Nielson  
Sandy, UT

Bergstrom, Luke James  
Palo Alto, CA

Berk, Elon  
Encino, CA

Berman, Andrew B.  
Washington, DC

Bohra, Neena  
West New York, NJ

Bradley, David Paul  
Boynton Beach, FL

Brennan, Mary C.  
Cherry Hill, NJ

Brown, Paul Damon  
Hockessin, DE

Brown, Leonetta Evelyn  
Plano, TX

Browning, Douglas Moore  
Washington, DC

Burke, Brian J.  
Irvine, CA

Burton, Jr. William Thomas  
Lansing, MI

Butera, Stephen F.  
Toms River, NJ

Campbell, Jamie Eve  
Titusville, FL

Carpenter, Megan Margaret  
Fairmont, WV

Carr, Jay David  
Olean, NY

Carter, Jocelyn Chisholm  
South Plainfield, NJ

Carter, Erik Henry  
Fairview Heights, IL

Casey, Cynthia Ford  
Alexandria, VA

Cattie, David J.  
Colts Neck, NJ

Chan, Tom Y.  
Tokyo, Japan

Chandler, Renee Gherity  
Washington Grove, MD

Chase, Christine D.  
Ormond Beach, FL

Chay, Eugene F.  
Washington, DC 20005

Chociej, Edwin F.  
Morristown, NJ

Ciko, Christopher N.  
Redondo Beach, CA

Clark, David J.  
Charlotte, NC

Conover, Scott R.  
Toms River, NJ

Cooper II, Charles David  
Dayton, OH

Cooper, Meigan Flood  
Oyster Bay, NY

Coveney, Pamela Joy  
Randolph, MA

Curley, Brian Francis  
Morristown, NJ

Currier, Romin N.  
West Palm Beach, FL

Daidone, Salvatore B.  
Haddonfield, NJ

Davidson, Jeffery S.  
Silver Spring, MD

Davis, Robin  
Livingston, NJ

DeMetro, Nicholas M.  
Kearny, NJ

Dicker, Herbert  
New York, NY

Dickinson, Q. Todd  
Fairfield, CT

Dohanick, Rhonda Kimberly  
Marlton, NJ

Eaton, Edward F.  
Wilmington, DE

Elsetinow, Anthony L.  
Brea, CA

Fedigan, Cristy Jo  
Alexandria, VA

Feeney, Joseph Michael  
Woodbury, NJ

Floyd, Jr. Israel John  
Wilmington, DE

Friedman, Jeffrey Scott  
Wilmington, DE

Fuiman, Jason Sean  
New York, NY

Gamble, Bruce  
Washington, DC

Gardner, Donnetta Moss  
Swedesboro, NJ

Gardon, Paul Augustine  
Hainesport, NJ

Gellman, Susan Kay  
Florence, AL

George, Brett Frederick  
Jersey City, NJ

Gordon, John Edward  
Trappe, MD

Greble, Deena Marie  
Mount Ephraim, NJ

Green, Angela T'nia  
Alexandria, VA

Grundy, Jenifer  
St. Simons Island, GA

Haase, Jr. Frederick T.  
Wilmington, DE

Haefele, Robert Turner  
Woodbridge, NJ

Hall, Kenneth J.  
Newark, NJ

Han, Yvonne Wanchen  
Ft. Myers, FL

Hanifan, Michael J.  
Newton, NJ

Hara, Meredith A.  
Cherry Hill, NJ

Harmon, David Eric  
Camden, NJ

Harris, William E.  
Guilderland, NY

Henley, Angela Cecile  
McLean, VA

Herman, Adam  
Westmont, NJ

Herrold, Jeffrey William  
Houston, TX

Hines, Barbara Annette  
Laurel, MD

Hollingsworth, Doris Leslie  
Scottsdale, AZ

Holzman, Melissa H.  
Margate City, NJ

Hutchison, Shawn D.  
Woodbury, NJ 08096

Issadore, Murray S.  
West Collingswood, NJ

Jagadesan, Dev  
Washington, DC

Johnson III, Woodie  
Washington, DC

Keefe, Kirsten Ellen  
Troy, NY

Kelleher, Christopher J.  
Maple Shade, NJ

Kelsey, Matthew Kevin  
New York, NY

King, Donald A.  
Mitchellville, MD

Klotz, John R.  
Nutley, NJ

Korber, Jeff Edmund  
Encinitas, CA

Krupski, David Paul  
Scottsdale, AZ

Labrada, Michele  
New Brunswick, NJ

Lambert, Christine Ann  
Baltimore, MD

Lemmer, William Clarence  
Houston, TX

Littlefield, Braun Dewheil  
Camden, NJ

Loh, Paul Au  
New York, NY

Long, Helene Clare  
Houston, TX

Madden, Patrick Joseph  
Haddonfield, NJ

Madigan, Brian C.  
Binghamton, NY

Maguigan, Holly  
New York, NY

Martin, Thomas Howard  
Hartville, OH

Martin, Quin Harry  
Newark, NJ

Massinger, Douglas William  
Ocala, FL

Mastroianni, James J.  
New York, NY

Maxwell, Joanne M.  
Newark, NJ

McCarthy, Shawn P.  
East Brunswick, NJ

McCutcheon, Dulcie Rubalcava  
Toronto, OH

McIntyre, John Dinshaw  
Norfolk, VA

Mena-Brown, Maria  
Silver Spring, MD

Mercer, III Henry Marvin  
Chocowinity, NC

Messinger, Judith C.  
Braintree, MA

Meyer, Cynthia Leigh  
Aruada, CO

Mills, James D.  
Venice, FL

Olcese, Jr. Lawrence R.  
Clayton, NJ

Oliver, Yolanda R.  
Washington, DC

Padovani, Anthony  
Hammonton, NJ

Pakis, Andrew  
Hollywood, FL

Papandrea, Joseph J.  
Port Charlotte, FL

Payne II, Carl Vincent  
Silver Spring, MD

Payne, Alanson E.  
Vincentown, NJ

Perry Jr., John Edward  
Singapore

Pillion, Kevin  
Washington, DC

Pinder, Herb J.  
New York, NY

Raffle, Beth Ann  
Morgantown, WV

Rinninsland, Rachel Marie  
Hoboken, NJ

Rolfe, Jennifer Elizabeth  
New York, NY

Rosato, Jennifer L.  
Brooklyn, NJ

Rosen, Jordan Michael  
Tarzana, CA

Saglimben, Michael J.  
Olean, NY

Sauers, William Jonathan  
Alexandria, VA

Sawyer, Kenneth  
Spring Valley, NY

Schroder, Michael T.  
Mineola, NY

Schwartz, Joel L.  
Atlantic City, NJ

Seelagy, Scott K.  
Sparta, NJ

Sharinn, Todd S.  
New York, NY

Shaw, Sharyn  
Tallmadge, OH

Shea, Edmund J.  
Kearny, NJ

Sheridan, John Robert  
Wilmington, DE

Shreter, Stephanie  
Delran, NJ

Silverman, Ian Robert  
Moorestown, NJ

Solomon, Daniel Harry  
Livingston, NJ

Stafford, Jr. Charles Ronald  
Rocky Hill, NJ

Stamets, Russell Allen  
Singapore

Stanton, Richard Patrick  
Washington, DC

Steinberg, Steven Philip  
Washington, DC

Stone, Joseph Robert  
Westminster, MD

Sullivan, Hope Leigh  
Phoenix, AZ

Taub, Elissa Jill  
Miami, FL

Tedjeske, Jennifer Lynn  
Chicago, IL

Thoman, Todd H.  
Great Meadows, NJ

Tole, Gregory G.  
Cedar Grove, NJ

Tucker, Shelley Lane  
Anchorage, AK

Turner, Wayne Thomas  
Brooklyn, NY

Uwah, Eduok Efiog  
New Castle, DE

Vessal, Elissa Susan  
Boynton Beach, FL

Villarnovo, Lourdes M.  
Batavia, IL

Wallerstein, Thomas Edward  
Redwood Shores, CA

Washington, Kathryn Ann  
New Orleans, LA

Whittle, Elizabeth Anne  
Trenton, NJ

Williams, Austin Oscar  
Missouri City, TX

Wolfson, Jennifer Sheidy  
Bloomfield, NJ

Yampell, Sandra Ellen  
New York, NY

Zalewski, Becky S.  
New York, NY

Zolfaghari Monfared, A. B.  
New York, NY

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

[Pa.B. Doc. No. 05-190. Filed for public inspection January 28, 2005, 9:00 a.m.]

#### Notice of Transfer of Attorney to Inactive Status

Notice is hereby given that Patric A. Jones of Wilmington, DE has been transferred to inactive status by Order of the Supreme Court of Pennsylvania dated December 15, 2004, pursuant to Rule 219, Pa.R.D.E. The Order became effective January 14, 2005.

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

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

[Pa.B. Doc. No. 05-191. Filed for public inspection January 28, 2005, 9:00 a.m.]

## SUPREME COURT

### Reestablishment of the Magisterial Districts Within the Seventh Judicial District; No. 199 Magisterial Doc. No. 1

#### Order

*Per Curiam:*

*And Now*, this 10th day of January, 2005, upon consideration of the Petition to Reestablish the Magisterial Districts of the Seventh Judicial District (Bucks County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Order dated August 20, 2003 that provides for the addition of Magisterial Districts 07-1-12 and 07-3-02 and the realignment of Magisterial Districts 07-1-01, 07-1-06, 07-1-07, 07-1-08, 07-2-01, 07-2-02, 07-3-01 and 07-3-03 within Bucks County is *Stayed*. The effective date of the addition of the new districts and the realignment of the existing districts shall be January 7, 2008. The newly created vacancies in said new districts shall be filled in the 2007 municipal election.

[Pa.B. Doc. No. 05-192. Filed for public inspection January 28, 2005, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Project Contractors

The Department of Agriculture (Department) is soliciting names of research institutions which have an interest in conducting agricultural research during the period July 1, 2005, to June 30, 2006, and continuing. Institutions which respond will be provided with a preproposal format and a list of research topic areas. Institutions which responded for Fiscal Year 2004-05 will automatically

receive a solicitation and do not need to respond again. The Department, through a selection process, will decide which projects are to be placed under contract. Interested parties should submit their name, address and telephone number to Fred Wertz, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110 or call (717) 783-3577 for more information.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 05-193. Filed for public inspection January 28, 2005, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 18, 2005.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
1-11-05	F.N.B. Corporation, Hermitage, to acquire 100% of the voting shares NSD Bancorp, Inc., Pittsburgh, and thereby indirectly acquire NorthSide Bank, Pittsburgh	Hermitage	Approved
1-18-05	ESB Financial Corporation, Ellwood City, to acquire 100% of the voting shares of PHSB Financial Corporation, Beaver Falls	Ellwood City	Approved

##### Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-14-05	Enterprise Interim Bank Allison Park Allegheny County	Allison Park	Filed

The interim bank is being incorporated to facilitate the reorganization of Enterprise Bank, Allison Park, into a holding company structure.

##### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-14-05	The Marion Center National Bank Marion Center Indiana County	Marion Center	Filed

Application represents conversion from a National banking association to a Pennsylvania-chartered banking institution.

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-11-05	Minersville Safe Deposit Bank and Trust Company Minersville Schuylkill County	Minersville	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
	Purchase of certain deposit liabilities of a branch office of Mid Penn Bank, Millersburg Located at: 9 East Main Street Tremont Schuylkill County		
1-13-05	The Legacy Bank Harrisburg Dauphin County	Harrisburg	Filed
	Purchase of assets/assumption of liabilities of one branch of Harleysville National Bank, Harleysville Located at: 25 North Kennedy Drive McAdoo Schuylkill County		
1-18-05	ESB Savings Bank, Ellwood City, and Peoples Home Savings Bank, Beaver Falls Surviving Institution—ESB Savings Bank, Ellwood City	Ellwood City	Approved

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-12-04	Firsttrust Savings Bank Conshohocken Montgomery County	725 West Lancaster Avenue Bryn Mawr Montgomery County	Opened
12-29-04	The Dime Bank Honesdale Wayne County	1824 Route 739 Dingmans Ferry Delaware Township Pike County	Opened
12-30-04	Orrstown Bank Shippensburg Cumberland County	1725 Lincoln Way East Chambersburg Guilford Township Franklin County	Opened
1-11-05	Keystone Nazareth Bank and Trust Company Bethlehem Northampton County	801 South 25th Street Palmer Township Northampton County	Filed

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-11-05	Keystone Nazareth Bank and Trust Company Bethlehem Northampton County	<i>To:</i> 741 South 25th Street Palmer Township Northampton County	Filed
		<i>From:</i> 3091 William Penn Highway Palmer Township Northampton County	
1-18-05	Premier Bank Doylestown Bucks County	<i>To:</i> 736 Street Road Upper Southampton Township Bucks County	Approved
		<i>From:</i> 516 Second Street Pike Upper Southampton Township Bucks County	

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-11-05	Mid Penn Bank Millersburg Dauphin County	7-9 East Main Street Tremont Schuylkill County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-13-05	AmeriServ Financial Bank Johnstown Cambria County	231 State Street Harrisburg Dauphin County	Approved

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Conversion to Community Charter**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-13-05	TruMark Financial Credit Union Trevose Bucks County	Trevose	Effective

Conversion to a community charter will result in an amendment to Article 8 providing for a change in the field of membership of the credit union to be: "Membership of said credit union shall be among the following: Persons who live, work, worship, or attend school, and business or other legal entities located in the Greater Philadelphia Community, which consists of the counties of Bucks, Chester, Delaware, Montgomery, and Philadelphia in Pennsylvania; spouses of persons who have died while within the aforementioned common bond of membership; employees of this credit union; volunteers in the Greater Philadelphia Area; members of the immediate family or household of any of the foregoing; and organizations of such persons."

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 05-194. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of February 2005

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 February 2005 is 7%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 4.55 to which was added 2.50 percentage points for a total of 7.05 that by law is rounded off to the nearest quarter at 7%.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 05-195. Filed for public inspection January 28, 2005, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Middle Delaware River Conservation Plan

The Department of Conservation and Natural Resources (DCNR), Bureau of Recreation and Conservation has approved the Middle Delaware River Conservation Plan (Plan) and is placing all river segments and tributaries covered in the Plan in Northampton and Bucks Counties on the Pennsylvania Rivers Conservation Registry (Registry).

The Heritage Conservancy (Conservancy) submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the DCNR has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

- The following river segment located from north to south: from the boundary of Lower Mount Bethel Township and Forks Township, Northampton County to the Dyers Creek Watershed's southernmost boundary in Lower Makefield Township, Bucks County.

- The following river segment located from east to west: from the prominent ridgeline on the west bank of the Delaware River in Forks Township, Northampton County to the prominent ridgeline on the west bank of the Delaware River at the boundary of Upper and Lower Makefield Townships in Bucks County extending east to



the boundary line of the Delaware River between the states of Pennsylvania and New Jersey—an area of 105.12 square miles.

- The following tributaries within the study area:
  - Frys Run in Williams Township, Northampton County.
  - Rodges Run in Durham Township, Bucks County.
  - Gallows Run in Nockamixon Township, Bucks County.
  - Wildcat Hollow Run in Nockamixon and Bridgeton Townships, Bucks County.
  - Falls Creek in Bridgeton Township, Bucks County.
  - High Falls Creek in Bridgeton Township, Bucks County.
  - Mine Spring Creek in Bridgeton Township, Bucks County.
  - Swamp Creek in Bridgeton, Nockamixon and Tincum Townships, Bucks County.
  - Smithtown Creek in Tincum Township, Bucks County.
  - Hickory Creek in Plumstead Township, Bucks County.
  - Cuttaloosa Creek in Solebury Township, Bucks County.
  - Primrose Creek in Solebury Township, Bucks County.
  - Rabbit Run in Solebury Township, Bucks County.
  - Aquetong Creek in New Hope Borough and Solebury Township, Bucks County.
  - Pidcock Creek in Buckingham, Solebury, Wrightstown and Upper Makefield Townships, Bucks County.
  - Jericho Creek in Wrightstown and Upper Makefield Townships, Bucks County.
  - Houghs Creek in Newtown and Upper Makefield Townships in Bucks County.
  - Dyers Creek in Upper Makefield and Lower Makefield Townships in Bucks County.
  - All unnamed tributaries that flow directly into the Delaware River within the study area.

This action takes effect January 29, 2005. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17101, (717) 787-7672 and The Heritage Conservancy, 85 Old Dublin Pike, Doylestown, PA 18901-2489, (215) 345-7020.

Maps and supporting data are on file at the Conservancy.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 05-196. Filed for public inspection January 28, 2005, 9:00 a.m.]

## Pennsylvania Heritage Parks Program Grant Application Announcement

The Department of Conservation and Natural Resources (DCNR) announces that applications are now being accepted for grants to be funded from the 2005-2006 Fiscal Year (FY) Pennsylvania Heritage Parks Program (Program). Funding is subject to an appropriation being made available to the DCNR for the Program in the upcoming 2005-2006 FY budget. The deadline for submission of applications is Friday, May 20, 2005. Applications must be received no later than 5 p.m. in the Harrisburg Central Office of DCNR's Bureau of Recreation and Conservation (Bureau). Applications received after this deadline will not be considered for funding. Faxed submissions are not acceptable.

It is the intent of the Program to create a system of State designated Heritage Areas that preserve and interpret the significant contributions that various regions of this Commonwealth have made to the rich heritage of Pennsylvania and the United States. The historic, cultural, natural, scenic and recreational resources within a Heritage Park area are inventoried, preserved, enhanced and promoted as a strategy to enhance regional economic development through the attraction of tourists, creation of new jobs, stimulation of small business growth, and the promotion of public and private investment opportunities. There are currently 12 designated State Heritage Areas including the Allegheny Ridge Heritage Area, the Delaware and Lehigh National Heritage Corridor, the Endless Mountains Heritage Region, the Lackawanna Heritage Valley Authority, the Lancaster-York Heritage Region, the Lincoln Highway Heritage Corridor, the Lumber Heritage Region, the National Road Heritage Corridor, the Oil Heritage Region, Pennsylvania Route 6 Heritage Corridor, the Rivers of Steel Heritage Area and the Schuylkill River Heritage Corridor. More information about the designated areas can be found at [www.dcnr.state.pa.us](http://www.dcnr.state.pa.us)

Designated State Heritage Areas are eligible to apply for grants to undertake heritage park management activities, special purpose studies and implementation projects. Other regions wishing to participate in the Program may apply for feasibility study grants if they meet the following criteria and are prequalified by the DCNR:

1. Must have a strong industrial or other area-wide themes which significantly relate to this Commonwealth's rich heritage and serves core areas not currently covered by existing Heritage Areas.
2. Must be multicounty in size.
3. Must have natural, cultural, historic, recreational and scenic resources of State or National significance.
4. Have a broad-based public and private partnership and regional coalition supporting the project.
5. Must demonstrate a local commitment and leadership capacity to undertake the initiative.

### *Program Manual/Application Forms*

The Program manual provides more specific information on funding levels, program requirements and the application process for this round of funding. The Program manual and application forms are available from the DCNR. Since each project type has a specific set of application forms and instructions, persons should specify the type of project when requesting application forms. The Program manual, application forms and additional information about the program can be obtained from Tim Keptner, Chief, Regional Services Division, Bureau of

Recreation and Conservation, Pennsylvania Heritage Parks Program, Department of Conservation and Natural Resources, 6th Floor, Rachel Carson State Office Building, P. O. Box 8475, Harrisburg, PA 17105-8475, (717) 783-0988.

Persons with a disability who wish to submit an application for Program funding and require assistance with the application should contact Darrel J. Siesholtz at (717) 783-2661 to discuss how the DCNR may best accommodate their needs. TTY or TDD users should call (800) 654-5984.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 05-197. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Sewickley Creek Watershed Conservation Plan

The Department of Conservation and Natural Resources (DCNR), Bureau of Recreation and Conservation has approved the Sewickley Creek Watershed Conservation Plan (Plan) and is placing the Sewickley Creek, the watershed and all tributaries covered in the Plan in Westmoreland County, on the Pennsylvania Rivers Conservation Registry (Registry).

The Sewickley Creek Watershed Association (Association) submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the DCNR has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

1. The watershed area of Sewickley Creek Watershed (Westmoreland County) from the headwaters to its confluence with the Youghiogheny River—168 square miles.
2. All tributary streams within the Sewickley Creek Watershed.

This action takes effect January 29, 2005. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at Sewickley Creek Watershed Association, Room 4204, Business & Industry Center (BIC), Westmoreland County Community College, Youngwood, PA 15697-0323, (724) 925-3621 and Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17101, (717) 787-7672.

Maps and supporting data are on file at the Association.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 05-198. Filed for public inspection January 28, 2005, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 individual permits and individual stormwater construction permits in Sections IV and VI, the

Department, based upon preliminary reviews, has made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0060674 Renewal	The Guided Tours of Camp Lee Mar, Inc. 450 Route 590 Lackawaxen, PA 18435	Lackawaxen Township Pike County	UNT to Lord's Creek 01B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0083887 (transfer)	Brush Creek Country Estates—Brad Shover 225 Pine Hill Road Landisburg, PA 17040	Bedford County East Providence Township	Brush Creek/11-C	Y
PA-R-10-C313R	Tri-County Mall Gregory Pettinaro Morgantown, LP 234 North James Street Newport, DE 19804	Berks County Caenarvon Township	UNT East Branch Conestoga River/WWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0228214 IW	CCDA Waters LLC 1 Aqua Penn Drive P. O. Box 938 Milesburg, PA 16853-0938	Centre Boggs Township	Bald Eagle Creek 9C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0033383	Cherry Run Camp Meeting Association 2855 Cherry Run Road Rimersburg, PA 16248	Toby Township Clarion County	UNT to Licking Creek 17-B	Y
PA0100978	Wesleyan Church of the Nazarene of Albion 9580 U. S. Route 6N Albion, PA 16401	Conneaut Township Erie County	UNT to Marsh Run 15-CC	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.*

**PA0053562**, Sewage, SIC 4952, **Korman Commercial Properties**, 2 Neshaminy Interplex, Suite 305, Treose, PA 19053. This proposed facility is located in Nockamixon Township, **Bucks County**.

Description of Proposed Activity: STP serving shopping center.

The receiving stream, is a dry swale. The secondary stream is in the State Water Plan watershed 2D and is classified for: WWF.

The proposed effluent limits for Outfall 001 are based on a design flow of 3,100 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (05/01 to 10/31)	10	20
(11/01 to 04/30)	20	40
Total Suspended Solids	10	20
Ammonia as N (05/01 to 10/31)	3	9
(11/01 to 04/30)	6	18
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	within limits of 6.0—9.0 Standard Units at all times	
Total Residual Chlorine	0.5	1.2

The EPA waiver is in effect.

**PA0055212**, Sewage, SIC 4952, **Concord Township Sewer Authority**, 664 Concord Road, Glen Mills, PA 19342. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Activity: Renewal with amendment of an NPDES permit to discharge treated sewage from Concord Township Central STP.

The receiving streams, West Branch of Chester Creek, and UNT to West Branch of Chester Creek are in the State Water Plan watershed 3G and are classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Media Borough Auxiliary Intake is located on Chester Creek and is 5.5 miles below the point of discharge (001).

The proposed effluent limits for Outfall 001 are based on design flows of 1.2 mgd and 1.8 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5/01 to 10/31)	20	30	40
(11/01 to 4/30)	25	40	50
TSS	30	45	60
NH <sub>3</sub> as N (5/01 to 10/31)	2.0		4.0
(11/01 to 4/30)	6.0		12.0
Phosphorus as P	2.0		4.0
TRC (issuance through expansion)	0.16		0.51
TRC (expansion through expiration)	0.11		0.35
Copper, Total (year 1 to year 3)	Monitor/Report		Monitor/Report
Copper, Total (year 4 to expansion)	0.018		0.036
Copper, Total (after expansion)	0.015		0.030
Fecal Coliform	No. 200/100 ml		
Dissolved Oxygen	Monitor/Report		5.0 (Inst. Minimum)
pH	6.0 to 9.0 Standard Units all the time		

The proposed monitoring requirements for Outfall 002 are based on stormwater flow.

<i>Parameters</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	Monitor/Report
COD	Monitor/Report
Oil and Grease	Monitor/Report
pH (STD)	Monitor/Report
TSS	Monitor/Report

<i>Parameters</i>	<i>Maximum Daily (mg/l)</i>
Total Kjeldahl Nitrogen	Monitor/Report
Total Phosphorus	Monitor/Report
Iron (Dissolved)	Monitor/Report
Fecal Coliform	Monitor/Report

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

1. Operator Notification
2. Average Weekly Definition
3. Remedial Measures if Public Nuisance
4. No Stormwater
5. Necessary Property Rights
6. Change of Ownership
7. Chlorine Minimization
8. Proper Sludge Disposal
9. TMDL/WLA Analysis
10. WETT at Renewal
11. I-Max Limits
12. Stormwater Only Outfall
13. Toxic Reduction Evaluation
14. Laboratory Certification
15. Condition for Multitier Permits
16. Instream Sampling
17. Effluent Pipe Cleaning
18. Visual Observation
19. Sampling at the Beehive Structure

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

**Application No. PA 0025381**, Sewage, **Saxton Borough Municipal Authority**, P. O. Box 173, Saxton, PA 16678. This facility is located in Liberty Township, **Bedford County**.

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

The receiving stream, Raystown Branch Juniata River, is in Watershed 11-D, and classified for trout stocking, water supply, recreation and fish consumption. The nearest downstream public water supply intake for 7 Points Marina is located on the Raystown Branch Juniata River (Raystown Lake), approximately 25 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.400 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Total Phosphorus	2.0	—	4.0
Total Residual Chlorine	1.0	—	2.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a geometric average	
(5/1 to 9/30)		100,000/100 ml as a geometric average	
(10/1 to 4/30)			

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

The EPA waiver is in effect.

**Appcation No. PA 0084964**, Sewage, **Bethel Township Sewer Authority**, P. O. Box 239, Warfordsburg, PA 17267. This facility is located in Bethel Township, **Fulton County**.

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

The receiving stream, Little Tonoloway Creek, is in Watershed 13-B, and classified for trout stocking, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Hancock, Maryland is located on the Potomac River, approximately 9 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.048 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5/1 to 10/31)	14.5	—	29
Total Residual Chlorine	0.5	—	1.6
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform	200/100 ml as a geometric average		
(5/1 to 9/30)	20,000/100 ml as a geometric average		
(10/1 to 4/30)			

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

The EPA waiver is in effect.

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

**PA0024686**, Sewage, **Mid Mon Valley Water Pollution Control Authority**, Box 197, Allenport, PA 15412. This application is for renewal of an NPDES permit to discharge treated sewage from the Mid Mon Valley Water Pollution Control Plant in Allenport Borough, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, which are classified as a warm water fishery 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: Belle Vernon Borough Municipal Water Company.

*Outfall 001: existing discharge, design flow of 0.7 mgd.*

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Fecal Coliform	200/100 ml as a geometric mean			
(5/1 to 9/30)	14,000/100 ml as a geometric mean			
(10/ 1 to 4/30)				
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0091413**, Sewage, **North Strabane Township Municipal Authority**, 1929B Route 519 South, Canonsburg, PA 15317. This application is for renewal of an NPDES permit to discharge treated sewage from 84 Industrial Park STP in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Little Chartiers Creek, which are classified as a HQ WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: PA. American Water Company.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10			20
Suspended Solids	15			30
Ammonia Nitrogen				
(5/1 to 10/31)	2.0			4.0
(11/1 to 4/30)	6.0			12.0
Fecal Coliform	200/100 ml as a geometric mean			
(5/1 to 9/30)	2,000/100 ml as a geometric mean			
(10/1 to 4/30)				
Total Residual Chlorine	0.3			0.6
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0095303**, Sewage, **Purchase Line School District**, 16559 Route 286E, P. O. Box 374, Commodore, PA 15729-0374. This application is for renewal of an NPDES permit to discharge treated sewage from Purchase Line School District Sewage Treatment Plant in Green Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of East Run, which are classified as a HQ CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Kittanning Suburban Joint Water Authority.

*Outfall 001*: existing discharge, design flow of 0.022 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	20			40
Suspended Solids	25			50
Ammonia Nitrogen				
(5/1 to 10/31)	2.0			4.0
(11/1 to 4/30)	2.9			5.8
Fecal Coliform				
(5/1 to 9/30)	200/100 ml as a geometric mean			
(10/1 to 4/30)	2,000 as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 7.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0203742**, Sewage, **Schenley Industrial Park**, P. O. Box 62, Schenley, PA 15682. This application is for renewal of an NPDES permit to discharge treated sewage from Schenley Industrial Park STP in Gilpin Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as the Allegheny River, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Buffalo Township Municipal Authority.

*Outfall 001*: existing discharge, design flow of 0.0175 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform				
(5/1 to 9/30)	200/100 ml as a geometric mean			
(10/1 to 4/30)	100,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
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. 0905401**, Sewerage, **Warrington Township Water & Sewer Department**, 1585 Turk Road, Warrington, PA 18976. This proposed facility is located in Warrington Township, **Bucks County**.

Description of Action/Activity : Construction and operation of a sewage grinder pump for a lot residential subdivision.

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

**WQM Permit No. 3904407**, Sewerage, **Upper Saucon Township Municipal Authority**, 5500 Camp Meeting Road, Center Valley, PA 18034-9444. This proposed facility is located in Upper Saucon Township, **Lehigh County**, PA.

Description of Proposed Action/Activity: This project involves the construction of a sewage pump station to serve 72 lots in the Curly Horse Subdivision. Sewage will be conveyed for treatment to the Upper Saucon Township Municipal facility.

**WQM Permit No. 4004406**, Sewerage, **Hanover Township**, Hanover Township Municipal Building, 1267 Sans Souci Parkway, Hanover Township, PA 18706. This proposed facility is located in Hanover Township, **Luzerne County**, PA.

Description of Proposed Action/Activity: This project involves construction of a sewer collection system with two pumping stations that will serve the Hanover Crossings Industrial Park, Phase II.

**WQM Permit No. 5405401**, Sewerage, **West Mahanoy Township**, 190 Pennsylvania Avenue, Shenandoah, PA 17976. This proposed facility is located in west Mahanoy Township, **Schuylkill County**, PA.

Description of Proposed Action/Activity: This project consists of installation of a sanitary sewage collection, conveyance, and .037 mgd sewage treatment plant to serve Shenandoah Heights, Weston Place, Upper and Lower Brownsville, East and West William Penn, Lost Creek No. 2 and Lost Creek in West Mahanoy Township, Schuylkill County, PA.

**WQM Permit No. 4804202**, Industrial Waste, **Newstech PA, LP**, 6 Horwith Lane, Northampton, PA 18067. This proposed facility is located in Northampton Township, **Northampton County**, PA.

Description of Proposed Action/Activity: This project is for modification of the existing wastewater treatment plant to increase the design capacity from .504 mgd to 1.32 mgd.

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

**WQM Permit No. 0599406**, Transfer No. 1, Sewerage, **Brad Shover, Brush Creek Country Estates**, 225 Pine Hill Road, Landisburg, PA 17040. This proposed facility is located in East Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Transfer of Ownership.

**WQM Permit No. 0604414**, Sewerage, **Township of Spring**, 2800 Shillington Road, Reading, PA 19608. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Replacement/Upgrade of sewer lines for the following areas; Part A - Spohn Road, Part B - Stanford, Lawrence Avenue/Harvard Boulevard Area, Part C—Elmwood Avenue Area.

**WQM Permit No. 3804405**, Sewerage, **Cornwall Borough Municipal Authority**, 36 Burd Coleman Road, P. O. Box 667, Cornwall, PA 17016. This proposed facility is located in Cornwall Borough, **Lebanon County**.

Description of Proposed Action/Activity: Construction/Operation of Sewer Extension to serve Alden Place.

**WQM Permit No. 2104415**, Sewerage, **Newville Borough Water and Sewer Authority**, 99 Cove Alley, Newville, PA 17241. This proposed facility is located in North Newton Township, **Cumberland County**.

Description of Proposed Action/Activity: Sewer line extension of James Drive and Sir William Drive.

**WQM Permit No. 0787402 Amendment 05-1**, Sewerage, **Altoona City Authority**, 20 Greenwood Road, Altoona, PA 16601-7114. This proposed facility is located in Altoona City, **Blair County**.

Description of Proposed Action/Activity: Application to increase permitted loadings to the Westerly Wastewater Treatment Facility.

**WQM Permit No. 0104403**, Sewerage, **Hamilton Township**, 272 Mummert's Church Road, Abbottstown, PA 17301. This proposed facility is located in Hamilton Township, **Adams County**.

Description of Proposed Action/Activity: Sewer line extension to Cedar Ridge.

**WQM Permit No. 2204410**, Sewerage, **Swatara Township Authority**, 599 Eisenhower Boulevard, Harrisburg, PA 17111. This proposed facility is located in Swatara Township, **Dauphin County**.

Description of Proposed Action/Activity: Installation of a Pump Station at Laura Acres.

**WQM Permit No. 0605401**, Sewerage, **Richmond Township**, P. O. Box 474, Fleetwood, PA 19522. This proposed facility is located in Richmond Township, **Berks County**.

Description of Proposed Action/Activity: Approval for a gravity sewage collection system and pump stations for the Walnuttown project.

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

**WQM Permit No. 2605401**, Sewerage, **North Union Township Municipal Services Authority**, 6 South Evans Station Road, Lemont Furnance, PA 15456. This proposed facility is located in North Union Township, **Fayette County**.

Description of Proposed Action/Activity: Application for the construction and operation of a pump station and force main to service Fayette Business Park and surrounding areas.

**WQM Permit No. 6305401**, Sewerage, **North Strabane Township Municipal Authority**. This proposed facility is located in North Strabane Township, **Washington County**.

Description of Proposed Action/Activity: Application for the installation of gravity sanitary sewers, manholes, pump station with forcemain and appurtenances to serve 40 existing homes.

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

**WQM Permit No. 2489202**, Industrial Waste Amendment No. 5, **Onyx Greentree Landfill, LLC**, 635 Toby Road, Kersey, PA 15846. This proposed facility is located in Fox Township, **Elk County**.

Description of Proposed Action/Activity: This project is to modify the mode of operation of the existing treatment units and install additional treatment units.

**WQM Permit No. 3305401**, Sewerage, **Reynoldsville Sewage Authority**, 400 North Fifth Street, Reynoldsville, PA 15851. This proposed facility is located in Reynoldsville Borough, **Jefferson County**.

Description of Proposed Action/Activity: This project is for the reconstruction of an existing force main.

**WQM Permit No. 3305402**, Sewerage, **Rose Township Municipal Authority**, R. D. 3, Box 321, Brookville, PA 15825. This proposed facility is located in Rose and Knox Townships and Brookville Borough, **Jefferson County**.

Description of Proposed Action/Activity: This project is for the construction of two pump stations and sewer extensions to serve portions of Rose and Knox Townships and Brookville Borough.



**WQM Permit No. 2075402**, Sewerage, **North and South Shenango Joint Municipal Authority**, 3397 Dam Road, Jamestown, PA 16137. This proposed facility is located in South Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for the rerating of design capacity at the wastewater Treatment facility from 0.945 mgd to 1.3 mgd.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011505002	Downingtown Area School District Pickering Valley Elementary School 126 Wallace Avenue Downingtown, PA 19335	Chester	Upper Uwchlan Township	Pickering Creek (HQ-TSF)
PAI011505003	David Davis David Davis Proposed Residence 4 South Hawthorne Road Coatesville, PA 19320	Chester	West Pikeland Township	UNT Pickering Creek (HQ-TSF)
PAS10G347-R	The Hankin Group Eagleview Shamona South 707 Eagleview Boulevard P. O. Box 562 Exton, PA 19341	Chester	Uwchlan Township	Tributary to Marsh Creek (HQ)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024805001	Diane Muniyak ROTA Corporation 101 Broad St. Phillipsburg, NJ 08865	Northampton	Lower Nazareth Township	Monocacy Creek, HQ-CWF
PAI024805002	DeLuca Homes 107 Floral Vale Blvd. Yardley, PA 19067	Northampton	Hanover Township - and - East Allen Township	Monocacy Creek, HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10S084-R	Oaks Senior Community, LP/Shepherds in Monroe Co., Inc. P. O. Box 302 Cresco, PA 18326	Monroe	Barrett Township	UNT Cranberry Creek, HQ-CWF

*Wayne County Conservation District: Ag Service Center, 470 Sunrise Ave., Honesdale, PA 18431, (570) 253-0930.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026404008	Robert Suhosky 120 Lakeview Heights Dr. Honesdale, PA 18431	Wayne	Cherry Ridge Township	UNT to Lackawaxen River, HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI-0306-04-008	E. Kuser Inc 150 Grings Hill Road Sinking Spring, PA 19608	Berks	Cumru and Spring Townships	Wyomissing Creek/HQ-WWF
PAI-0306-04-005	Kenneth J. Glase 890 Scenic Drive Mohnton, PA 19540	Berks	Cumru Township	Wyomissing Creek/HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10F106-1	PSU East Campus Penn State University 101 P Physical Plt. Bldg. University Park, PA 16802	Centre	College Township and State College Borough	Big Hollow-CWF Thompson Run-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)

**CAFO Notices of Intent Received**

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

**PAG123587** CAFO, **Nevin Rutt**, 524 North Garfield Road, Bernville, PA 19506. This proposed facility is located in Penn Township, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: The Nevin Rutt Farm is an existing swine and steer operation with a total AEU's of 754.38. This farm currently operates a swine farrowing operation and finishing barn along with 100 head of beef steer. The gestation / breeding barn and the farrowing barn will be replaced with a new finishing floor. The operation will then be 100% wean to finish housing 5,000 finishing swine. The current steer phase of the operation will remain unchanged. The existing clay lined manure storage will remain in use for the existing finishing floor. A new below house slotted floor manure storage facility will be constructed with the new finishing barn. The new barn will handle the manure as a liquid stored in a 80 ft x 275 ft x 6 ft below house concrete manure storage facility with a useable storage of 740,520 gallons assuming 6 inches of freeboard below a one foot pit fan opening. The existing barn will continue to use the existing clay lined manure storage facility with a surface area of 0.36 acre and storage volume of 750,000 gallons. Of the 1,190,667 gallons of liquid manure generated from house 1 all of the manure will be exported from the farm. Of the 1,612,536 gallons of liquid manure generated from house 2 117,900 will be used on the farm and 1,494,636 will be exported from the farm. Of the 1,241 tons of solid beef manure generated 1,082.4 tons will be used on the farm and 158.6 tons exported from the farm.

The receiving stream, UNT to Blue Marsh Lake is in watershed 3-C and classified for: WWF.

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

**MS4 Notices of Intent Received**

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133683	Jackson Township 60 North Ramona Rd. Myerstown, PA 17067	Lebanon County	Jackson Township	Owl Creek / WWF Tulpehocken Creek / CWF	Y
PAG133684	South Lebanon Township 1800 South 5th Avenue Lebanon, PA 17042	Lebanon County	South Lebanon Township	Quittapahilla Creek / TSF Tulpehocken Creek / CWF	Y

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133558	Palmyra Borough 325 South Railroad Street Palmyra, PA 17078	Lebanon County	Palmyra Borough	Killinger Creek / TSF Spring Creek / CWF	Y
PAG133692	Cleona Borough 140 Walnut Street Cleona, PA 17042	Lebanon County	Cleona Borough	Quittapahilla Creek / TSF	Y

**PUBLIC WATER SUPPLY (PWS) PERMIT**

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (Department) of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No.1505501**, Public Water Supply  
 Applicant **Avonwheel Estate Mobile Home Park**  
 Township London Grove  
 County **Chester**  
 Responsible Official John D. Haldaway

Type of Facility PWS  
 Consulting Engineer Ruby Engineering  
 Application Received Date January 3, 2005  
 Description of Action Installation of a granulated activated carbon filtration system for VOC reduction.

**Permit No.0905501**, Public Water Supply  
 Applicant **Newtown Artesian Water Company**  
 Borough Newtown  
 County **Bucks**  
 Responsible Official William H McCormick  
 Type of Facility PWS  
 Consulting Engineer Gannett Fleming, Inc.  
 Application Received Date January 3, 2005  
 Description of Action Permitting of a new drilled Well (No. 4) for replacement of existing Well No. 4.

**Permit No. 0905502**, Public Water Supply  
 Applicant **Borough of Sellersville**  
 Township West Rockhill  
 County **Bucks**  
 Responsible Official Alan S. Frick  
 Type of Facility PWS  
 Consulting Engineer Cowan Associates, Inc.  
 Application Received Date January 11, 2005  
 Description of Action Renovation of existing water filtration plant, including, replacement of filter underdrain system and media, flocculator, and finished water pump; modification in treatment chemicals, addition of turbidity analyzers lever sensors, and chlorine analyzer with SCADA system.

**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.*

**RESUBMITTAL**

**Application No. 3281501-T1-A2**, Minor Amendment.

Applicant	<b>Pennsylvania American Water Company</b> , 800 West Hersheypark Drive, Hershey, PA 17033
Township or Borough	White Township
Responsible Official	Scott Thomas, Operations Engineer Pennsylvania American Water Company, 800 West Hersheypark Drive, Hershey, PA 17033
Type of Facility	Water storage tank
Consulting Engineer	
Application Received Date	October 18, 2004
Description of Action	Repainting/rehabilitation of the Indiana Aldrich Unit No. 2

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

**PREAMBLE 1**

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

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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.*

**Lansdale Holding Group Assoc., L.P.**, Lansdale Borough, **Montgomery County**. Donald a. Coleman, PG, Penn Environmental & Remediation, Inc., 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Peter Economou, Lansdale Holding Group Assoc., LP, 230 Windsor Ave., 1st Floor, Narberth, PA 19072 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with other organics and chlorinated solvents. The primary contaminants include trichloroethene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)flouranthene, benzo(g,H,I)perylene, chrysene and tetrachloroethane. The proposed future use of the property will be residential.

**Harrah's Chester Downs Casino and Racetrack**, City of Chester, **Delaware County**. Terrence J. McKenna, PE, Keating Env. Mgmt., Inc., 123 John Robert Thomas Dr., Exton, PA 19341 on behalf of J. Patrick Killian, Redevelopment Authority of the County of Delaware, 200 East State St., Suite 205, Media, PA 19063 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with chlorinated solvents, lead and inorganics. The intended future use of the property is a licensed harness racetrack and casino, including restaurant, grandstand and related facilities. A summary of the Notice of Intent to Remediate was reported to have been published in the Philadelphia Daily News on December 24, 2004.

**Proposed Rite Aid Store No. 2604**, City of Philadelphia, **Philadelphia County**. Kenneth M. Yoder, PG, BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109 on behalf of Robert Lerner, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Notice of Intent to Remediate. Groundwater at the site was impacted with chlorinated solvents. The future site is to be non residential.

### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

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**Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

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*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*

**Pet Memorial Services Corp.**, 319 Westtown Road, Suite Q, West Chester, PA 19382. License No. PA-HC 0195. Received on December 17, 2004.

**NYESC Acquisition Corp.**, 1281 Viele Avenue, Bronx, NY 10474. License No. PA-HC 0216. Received on December 29, 2004.

**The Williamsport Hospital**, 777 Rural Avenue, Williamsport, PA 17701. License No. PA-HC0186. Received on January 6, 2005.

*New Applications Received*

**Conservative Environmental Services, Inc.**, P. O. Box 745, Mechanicsburg, PA 17055. Received on January 12, 2005.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

### PLAN APPROVALS

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

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

**36-05008D. Tyson Foods, Inc** (403 South Custer Avenue, New Holland, PA 17557) for construction of a vegetable oil poultry fryer controlled by a wet scrubber in Earl Township, **Lancaster County**.

**38-03007A. Evans Eagle Burial Vaults, Inc.** (15 Graybill Road, Leola, PA 17540) for construction of a human crematorium in Heidlesberg Township, **Lebanon County**.

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

**11-00513A. Cambria Coke Co.** (1111 Northshore Drive, Knoxville, TN 37919-4093) for construction of a heat recovery coke plant in Ebensburg, **Cambria County**.

**11-00512A. EMF Development Corp.** (365 Bassett Road, Hooversville, PA 15936) for installation of a multichamber specialty furnace designed to reclaim aluminum and copper metals at Bethlehem Steel Franklin Plant in Franklin Borough, **Cambria County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215) 823-7584.*

**AMS 04322. Sunoco, Inc.—R&M** (93144 Passyunk Avenue, Philadelphia, PA 19147) for modification of 1232 Fluid Catalytic Cracking Unit in Philadelphia, **Philadelphia County**.

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

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

**23-0047D. Degussa Corp.** (1200 West Front Street, Chester, PA 19013) for installation of the silica granulation line with the dust collector as a control device, at their Degussa silica manufacturing facility at 1200 West Front Street, City of Chester, **Delaware County**. The installation of the silica granulation line may result in the emissions of: 2.0 tons per year of Silicon Dioxide and 2.0 tons per year of Particulate Matter with an aerodynamic diameter of 2.5 micrometer or smaller. The Plan Approval and Operating Permit will contain additional

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

**09-0180. White Engineering Surfaces Corp.** (One Pheasant Run, Newtown, PA 18940) for installation of a Vapor Degreaser, that uses trichloroethylene (TCE) as a degreasing agent, at their White Engineering machine shop/parts manufacturing new facility at One Pheasant Run, Newtown Township, **Bucks County**. The installation of the vapor degreaser may result in the emissions of: 2.98 tons per year of TCE. TCE is a Volatile Organic Compound. TCE is a Hazardous Air Pollutant. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**46-0198I: Blommer Chocolate Co.** (1101 Blommer Drive, East Greenville, PA 18041) for installation of a diffusion filter collector system and modification to raise the VOC emissions limit of Line 3 Roaster from 8.22 TPY to 23.00 TPY, and for the two grinders (line 1 and line 3) from 5.7 to 13.8 TPY in Upper Hanover Township, **Montgomery County**. This facility is a Major for VOC. The Plan approval will contain recordkeeping and operating restriction designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

**40-399-038C. Fairchild Semiconductor Corp.** (125 Crestwood Drive, Mountaintop, PA 18707) for installation and operation of air cleaning devices to control emissions from the FAB 8 production lines at their facility in Wright Township, **Luzerne County**. The company has proposed to installed up to 12 point of use scrubber, six burn box, and four coalescing filters to control emissions from the wafer manufacturing processes. All of these control equipment will be exhausted to the existing acid scrubber. Installation of these devices will reduce emissions from the plant. No emission increases are anticipated by this modification. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**48-328-007. Green Knight Economic Development Corp.** (P. O. Box 4, Pen Argyl, PA 18072) for modification to the operation of three identical turbines by the implementation of a maintenance plan at their Green Knight Energy Center in Plainfield Township, **Northampton County**. The maintenance plan is for the replacement of the combustor section of each turbine with an identical combustor section. The Plan Approval and Operating Permit will contain emission restrictions and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The facility has a Title V Operating Permit Application No. 48-00071 currently under review. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

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

**06-05005B. Eastern Industries, Inc.** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 180340) for construction of additional equipment at a non-metallic mineral crushing plant controlled by wet suppression in Oley Township, **Berks County**. The facility is a non-Title V (State only) facility. The equipment is subject to 40 CFR Part 60, Subpart OOO, Standards of Performance for New Stationary Sources. The approval will include monitoring, testing, work practices, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215) 823-7584.*

**AMS 04315. Albert Einstein Medical Center** (5501 York Road, Philadelphia, PA 19141) for installation of one 800 kW and one 600 kW diesel emergency generator in the City of Philadelphia, **Philadelphia County**. The allowable NOx emission increase is 11.9 tons per year. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

**AMS 04323. Brandenburg Industrial Service Co.** (1905 East Fourth Street, Bethlehem, PA 18015) for installation of a portable concrete crusher at PGW-Tioga Station, 3109 East Venango Street in the City of Philadelphia, **Philadelphia County**. NOx emissions permitted from the crusher during the operation is 8.6 tons. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

**AMS 04324: Brandenburg Industrial Service Co.** (1905 East Fourth Street, Bethlehem, PA 18015) for installation of a portable concrete crusher at PGW-Passyunk Station, 2430 South 28th Street, in the City of Philadelphia, **Philadelphia County**. NOx emissions permitted from the crusher during the operation is 5.73 tons. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

## OPERATING PERMITS

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

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

**07-05010: Small Tube Products Co., Inc.** (P. O. Box 1674, Altoona, PA 16603) for a tubing fabrication operation in Allegheny Township, **Blair County**. The facility is a major source that primarily emits VOCs. The Title V operating permit will contain appropriate monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of their Title V operating permit.

**36-05081: Lancaster County Solid Waste Management Authority** (P. O. Box 4425, Lancaster, PA 17604) for landfill operations at their Frey Farm-Creswell landfill in Manor Township, **Lancaster County**. The facility is a major source that primarily emits Nonmethane Organic Compounds (NMOCs). The Title V operating permit will contain appropriate monitoring, recordkeeping, and reporting requirements designed to keep the

facility operating within all applicable air quality requirements. This is a renewal of their Title V operating permit.

**36-05082: Clark Filter** (3649 Hempland Road, Lancaster, PA 17601) for a paper coating operation in West Hempfield Township, **Lancaster County**. The facility is a major source that primarily emits VOCs, and Hazardous Air Pollutants. The Title V operating permit will contain appropriate monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of their Title V operating permit.

**67-05016: R.H. Sheppard Company, Inc.** (P. O. Box 877, Hanover, PA 17331) for operation of their ductile and gray iron foundry in Hanover Borough, **York County**. The facility has the following annual potential emissions: 86 tons CO, 47 tons VOC, 12 tons aggregate HAPs, 10 tons NOx, 6 tons PM10, 3 tons SOx. The Title V operating permit renewal 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.

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

**11-00288: Johnstown America Corp.—Freight Car Division** (17 Johns Street, Johnstown, PA 15901) Operating Permit renewal for their Franklin Plant in Franklin Borough, **Cambria County**. The facility's major sources of emissions include rail car painting operations, which emit major quantities of Individuals may make an appointment to review the Department of Environmental Protection files on this case by calling the File Review Coordinator at (717) 705-4732.

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

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

**09-00134: Reed Minerals—Division of Harsco Corp.** (905 Steel Road, South, Fairless Hills, Falls Township Bucks, PA 19303) for a non-Title V Facility, State-Only, Natural Minor Operating Permit in Falls Township, **Bucks County**. The permit is for the operation of their coal slag drying, crushing and screening facility. The permit will include monitoring, recordkeeping, reporting and work practice standards 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.*

**07-05021: Albemarle Corp.** (P. O. Box 216, 2 Adams Avenue, Tyrone, PA 16686) for their specialty chemical plant in Tyrone Borough, **Blair County**. Presently the facility has a potential to emit 16 tons/yr of VOC and 11 tons/yr of HAP. The State only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**22-05050: Dauphin Meadows, Inc.** (4300 Industrial Park Road, Camp Hill, PA 17011) for a facility wide State only operating permit to incorporate renewal of the Landfill's source only operating permit number 22-322-

001A, at Washington Township, **Dauphin County**. The emission from the source is controlled by Enclosed Ground Flare. The source primarily emits VOCs, and it has a potential to emit approximately 26 tons of VOC annually. The Synthetic Minor operating permit will contain monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**28-03044: Tarco Roofing Materials, Inc.** (8650 Molly Pitcher Highway North, Greencastle, PA 17225) for their asphalt saturated felt operations in Atrim Township, **Franklin County**. The facility is subject to the New Source Performance Standards, promulgated under 40 CFR Part 60, Subpart UU—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture. The Natural Minor operating permit will contain appropriate monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**67-03123: American Ash Recycling Corp. of PA** (1072 Roosevelt Avenue, York, PA 17404) for operation of their ash recycling facility in West Manchester Township, **York County**. The Natural Minor operating permit will contain appropriate monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**41-00027: Muncy Valley Hospital (Susquehanna Health Systems,** 1100 Grampian Boulevard, Williamsport, PA 17701) for operation of a hospital at 215 East Water Street in Muncy Creek Township, **Lycoming County**.

The hospital incorporates three natural gas/No. 2 fuel oil-fired boilers and three diesel fuel/No. 2 fuel oil-fired emergency generators. The air contaminant emissions from the hospital are not expected to exceed 10.60 tons of NOx, 27.89 tons of SOx, 4.93 tons of CO, .52 ton of VOCs and .32 ton of particulate matter (including particulate matter with an aerodynamic diameter of 10 microns or less also known as PM10) per year.

The respective facility is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection proposes to incorporate into the operating permit to be issued a condition limiting the sulfur content of the No. 2 fuel oil and diesel fuel to be fired in the facility's boilers and generators to .5% by weight, a condition limiting the operation of the facility's generators to no more than 500 hours each per year and a condition requiring that records be maintained of the number of hours each generator is operated each month.

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

**42-00192: IA Construction Corp.—McKean Plant** (7024 Highway 59, Lewis Run, PA 16738) for a Synthetic Minor Permit to operate a hot mix asphalt plant in Lafayette Township, **McKean County**. The significant sources are hot mix batch plant; fugitives from transfer points and propane storage tank 30,000 gallons. The facility has taken a restriction on production not exceeding 495,000 tons per year to qualify as a Synthetic Minor facility.

### 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 <sup>1</sup>		greater than 6.0; less than 9.0	

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

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to (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 Mining Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-7100.*

**30841307. NPDES Permit No. PA0213438, Emerald Coal Resources, LP**, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Franklin, Jefferson and Cumberland Townships, **Greene County** to add underground permit and subsidence control plan acres. Underground Acres Proposed 2392.0, SCP Acres Proposed 2392.9. No additional discharges. Application received October 26, 2004.

**56971301. NPDES Permit No. PA0214973, RoxCOAL, Inc.**, (P. O. Box 149, Friedens, PA 15541), to transfer the permit for the Geronimo Mine in Jenner Township, **Somerset County** and related NPDES permit from GM & S Coal Corporation. No additional discharges. Application received December 16, 2004.

**30831303. 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** for a stream and road variance for the No. 7 dewatering borehole. No additional discharges. Application received December 27, 2004.

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

**03000104 and NPDES Permit No. PA0202746. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application for reclamation only of an existing bituminous surface mine, located in Valley and



Kittanning Townships, **Armstrong County**, affecting 260.9 acres. Receiving streams: UNTs to Mill Run and Cowanshannock Creek, classified for the following use: WWF. The first potable water supply intake within 10 miles downstream from the point of discharge: Manor Township Water Authority. Renewal application received: January 10, 2005.

**03940113 and NPDES Permit No. PA0201031. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Renewal application for continued operation and reclamation of an existing bituminous surface mine, located in Washington Township, **Armstrong County**, affecting 68.7 acres. Receiving streams: UNTs to Huling Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 12, 2005.

**26040103 and NPDES Permit No. PA0250589. Amerikohl Mining, Inc.** (P. O. Box 427, Acme, PA 15610-0427). Revision application to an existing bituminous surface mine for auger mining, located in German Township, **Fayette County**, affecting 201.4 acres. Receiving streams; UNTs to Cat's Run, classified for the following use: WWF. The first potable water supply intake within 10 miles downstream from the point of discharge: Masontown Water Works Revision application received: January 12, 2005.

**03990105 and NPDES Permit No. PA0202592. Seven Sisters Mining Co., Inc.** (P. O. Box 300, U. S. Route 22, Delmont, PA 15626-0300). Application received to revise the permit for an existing bituminous surface/auger mining site located in South Bend and Burrell Townships, **Armstrong County**, affecting 206.2 acres, to change the postmining land use from forestland and pastureland/land occasionally cut for hay to unmanaged natural habitat in grass. Receiving streams: UNT to Fagley Run to Fagley Run, classified for the following use: WWFs. There is no potable water supply intake within ten miles downstream from the point of discharge. Revision application received: January 13, 2005.

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

**33010103 and NPDES permit No. PA0241954. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849). Renewal of an existing bituminous surface strip operation in Winslow Township, **Jefferson County** affecting 103.0 acres. Receiving streams: UNT to Sandy Lick Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 10, 2005.

**33980109 and NPDES Permit No. PA0227897. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801). Renewal of an existing bituminous surface strip operation in Oliver Township, **Jefferson County**, affecting 52.0 acres. Receiving streams: UNTs to Beaver Run and Beaver Run, classified for the following uses: HQ CWF; and UNT to Little Sandy Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: January 12, 2005.

**33950106 and NPDES Permit No. PA0227081. Falls Creek Energy Co., Inc.** (R. D. 6, Box 231, Kittanning, PA 16201). Revision to an existing bituminous surface strip operation in Perry Township, **Jefferson County** affecting 148.4 acres. Receiving streams: UNT to Mahoning Creek, UNT to Sawmill Run; and Rose Run; classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to add blasting to the permit. Application received: January 14, 2005.

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

**54850101R4 and NPDES Permit No. PA0614424. Schuylkill Reclamation Corp.,** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine operation and discharge of treated mine drainage in Mahanoy Township, **Schuylkill County** affecting 61.0 acres, receiving stream: Mahanoy Creek. Application received January 7, 2005.

**54743007R4 and NPDES Permit No. PA0123617. Schuylkill Reclamation Corp.,** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine operation and discharge of treated mine drainage in Branch and Cass Townships, **Schuylkill County** affecting 326.0 acres, receiving stream: West Creek. Application received January 11, 2005.

**19793201R4. Gilberton Coal Company,** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing coal refuse reprocessing operation in Conyngham Township, **Columbia County** affecting 3.4 acres, receiving stream: none. Application received January 11, 2005.

*Noncoal Applications Received*

*Effluent Limits*

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

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

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

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

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

**26050401 and NPDES Permit No. PA0250643. Laurel Aggregates, Inc.** (P. O. Box 1209, Morgantown, WV 26507). Application for commencement, operation and reclamation of a noncoal surface mine, located in Springhill Township, **Fayette County**, affecting 122

acres. Receiving stream: Rubless Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: January 11, 2005.

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

**16030302 and NPDES permit No. PA0242365. Quality Aggregates, Inc.** (200 Neville Road, Neville Island, PA 15225-0347). Transfer of an existing limestone operation in Richland Township, **Clarion County** affecting 129.5 acres. Receiving streams: two UNTs to Turkey Run, classified for the following uses: HQ-CWF and two UNTs to Clarion River, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from I.A. Construction Corporation. Application received: January 13, 2005

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

**7473SM2AC12 and NPDES Permit No. PA0118460. Hercules Cement Co., LP**, (501 Hercules Drive, P. O. Box 69, Stockertown, PA 18083), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Upper Nazareth and Palmer Townships, **Northampton County**, receiving streams: Bushkill and Schoeneck Creeks, classified for the following uses: HQ-CWFs and WWFs. Application received January 4, 2005.

**8274SM5A1C7 and NPDES Permit No. PA0123480. DM Stoltzfus & Son, Inc.**, (P. O. Box 84, Talmage, PA 17580), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Fulton Township, **Lancaster County**, receiving stream: Octararo Creek, classified for the following uses: WWF and migratory fishes. Application received January 7, 2005.

**5074SM3A2C4 and NPDES Permit No. PA0121126. Valley Quarries, Inc.**, (P. O. Box J, Chambersburg, PA 17201), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Greene Township, **Franklin County**, receiving stream: Conococheaque Creek and UNT to Conococheaque Creek, classified for the following use: CWFs. Application received January 10, 2005.

**8073SM4A2C7 and NPDES Permit No. PA0594849. Reading Materials, Inc.**, (P. O. Box 1467, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Pottsgrove Township, **Montgomery County**, receiving stream: Sanatoga Creek, classified for the following use: WWFs. The first downstream potable water supply intake from the point of discharge is Philadelphia Electric—Limerick. Application received January 12, 2005.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

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

## WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E39-445. Pennsylvania Department of Transportation, Engineering District 5-0**, 1713 Lehigh Street, Allentown, PA 18013-4727, in North Whitehall Township, **Lehigh County**, United States. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 152-foot long stream enclosure consisting of a 14-foot by 8-foot precast box culvert with baffles depressed 1-foot below stream bed elevation in a tributary to Jordan Creek (HQ-CWF, MF) and 0.23 acre of adjacent PEM, PSS wetlands. The project is located near the intersection of Old Packhouse Road (T-683) and Country Lane (T-578). (Cementon, PA Quadrangle N: 5.0 inches; W: 15.3 inches).

**E48-357. N.A.P.E.R. Development Corporation, Inc.**, P. O. Box 639, Wind Gap, PA 18091, in Borough of Wind Gap, Plainfield Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in approximately 0.22 acre of PFO wetlands in Little Bushkill Creek (HQ-CWF) watershed for the purpose of constructing a roadway to provide access to a proposed 125 acre industrial park known as Slate Belt Industrial Center. The project is located at an abandoned rail yard on the north side of SR 0512 between North Broadway and Glass Street. (Wind Gap, PA Quadrangle N: 20.1 inches; W: 3.7 inches).

**E48-358. Hillcrest Development Corporation, LLC**, 1667 Robinhood Road, Upper Mount Bethel Township, PA 18343, in Portland Borough, Upper Mount Bethel Town-

ship, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 550-foot long stream enclosure consisting of two 48-inch diameter H.D.P.E. culverts in a tributary to the Delaware River (CWF). The work is associated with a proposed 20-lot residential subdivision, known as Hillcrest Estates, located on the east side of Ruth Street (Portland, PA-NJ Quadrangle N: 9.2 inches; W: 14.5 inches).

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

**E38-143: PennDOT Engineering District 8.0**, 2140 Herr Street, Harrisburg, PA 17103-1699, Bethel Township, **Lebanon County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a single span bridge of 58.5 feet with an underclearance of 7.8 feet across the channel of Elizabeth Run (WWF) on SR 1014, Section 005, to fill in 0.008 acre of de minimis wetland and associated improvements to improve the traffic safety condition of the road located about 0.5 mile from its confluence with the Little Swatara Creek (Fredericksburg, PA Quadrangle N: 7.9 inches; W: 8.4 inches) in Bethel Township, Lebanon County.

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

**E14-469. Pennsylvania Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street Extension, P. O. Box 342, Clearfield, PA 16830, Bridge Replacement in Gregg Township, **Centre County**, ACOE Baltimore District (Spring Mills, PA Quadrangle N: 16.90 inches; W: 4.38 inches).

To: 1) remove the existing single span steel I-beam structure which has a timber deck and masonry stone abutments. The existing bridge has a normal clear span of 8 feet, 6 inches, a roadway width of 24 feet, a maximum underclearance of 2 feet 8.5 inches; 2) construct and maintain a precast concrete box culvert with 6 feet 8 inch long fish baffles with a clear span of 10.64 feet on a skew of 70 degrees with a minimum underclearance of 3 feet and a waterway opening of about 30 square feet with inlet concrete wingwalls and about 100 square feet of inlet and outlet protection rip-rap; 3) construct and maintain a R-5 riprap outlet lined stream channel about 140 feet long by 3 feet wide and a temporary stream diversion pipe 48 inch diameter minimum by 120 lineal feet. The project is located on SR 2012 about 3 miles from the intersection of SR 45 with S.R. 2012 in Gregg Township, Centre County. The project will not impact wetlands while impacting about 190 feet of stream. Spruce Run is a Cold Water Fisheries Stream.

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

**E10-396, Jerome Oliver**, Delwood Road Butler, PA 16001. Safe and Sound Self-Storage in Butler Township, **Butler County**, ACOE Pittsburgh District (Mt. Chestnut, PA Quadrangle N: 0.75 inch; W: 1.80 inches).

The applicant proposes to 1.) fill 0.009 acre of PEM wetlands for the construction of a self-storage facility adjacent to SR 422 approximately 0.5 mile east of the intersection of SR 422 and Route 8, 2.) enclose approximately 57 feet of stream channel of an UNT to Connoquenessing Creek and fill approximately 0.02 acre of PEM wetlands for construction of a minor road crossing and 3.) extend the SR 422 culvert enclosing 165 feet of

stream channel of an UNT to Connoquenessing Creek with a drainage area of less than 100 acres. UNTs to Connoquenessing Creek are classified as WWF. The project proposes to directly affect 0.029 acre of PEM wetlands and 222 feet of stream channel.

**E43-319, Department of Transportation, District 1-0**, 255 Elm Street, P. O. Box 398, Oil City, PA 16301-1412. SR 4006, Section B00, Segment 0040, Offset 0000 Porter Road over the Shenango River and an UNT to Shenango River, in West Salem Township, **Mercer County**, ACOE Pittsburgh District (Greenville West, PA Quadrangle N: 8.5 inches; W: 3.3 inches).

To remove the existing Steel Through Truss structure and construct and maintain a single span composite prestressed concrete I-beam bridge having a clear span of 130.0 feet and a maximum underclearance of 13.0 feet on a 90° skew across the Shenango River an UNT to Shenango River. De minimis wetland impacts consist of 0.015 acre of permanent impacts to PEM/PFO and 0.03 temporary impacts to PFO wetlands. The project also includes 100 feet of relocation to an UNT to the Shenango River, 100 feet of impact to the Shenango River and 575 cubic yards of fill within the floodplain.

## ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.*

**D06-342EA. Borough of Shillington**, 2 East Lancaster Avenue, P. O. Box 247, Shillington, PA 19607. Cumru Township, **Berks County**, ACOE Philadelphia District.

Project proposes to breach and remove Mohnton Pump Station Dam located across Wyomissing Creek (HQ-CWF) to eliminate a threat to public safety and to restore the stream to free-flowing conditions. The dam is located approximately 150 feet southeast of the intersection of Wyomissing Road and Rudloff Lane, southwest of the town of Mohnton (Reading, PA Quadrangle N: 5.8 inches; W: 16.25 inches).

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

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

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

*SSIP  
Application  
No.*

<i>Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
05001	Stephen J. Carten Eldorado Properties Corporation Northumberland West Terminal P. O. Box 2621 Harrisburg, PA 17105-2621	Northumberland	Point Township	2 ASTS storing Gasoline/Distillate	7,962,080 gallons total capacity

**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**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0052205	John J. Murphy Jr. 89 Chestnut Valley Drive Doylestown, PA 18910	Bucks County Doylestown Township	UNT to Cooks Run Watershed 2F	Y

## NOTICES

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0054488	Frank Occhi 1469 Lower State Road Doylestown, PA 18901	Bucks County Doylestown Township	UNT to Mill Creek Watershed 2F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0061034	John Hennemuth, Chairman Abington Township Municipal Authority Lake Henry Drive P. O. Box 8 Waverly, PA 18471	Abington Township, Lackawanna County	UNT to Ackerly Creek CWF Lackawanna Basin (5a)	Yes
PA-0063941	Micropack Corp. 5 Commonwealth Road, Suite 3A Natick, MA 01760	Lower Towamensing Township, Carbon County	Aquashicola Creek 2B	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0209066 Sewerage Public	Roulette Township R. D. 1 Station Boulevard Roulette, PA 16746	Potter County Roulette Township	Allegheny River 16C	Y
PA0112615 Industrial Waste	Viking Engery of Northumberland 909 Cannery Road Northumberland, PA 17857	Northumberland Point Township	UNT to West Branch Susquehanna River 10D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0205028 Industrial Waste	BP Exploration & Oil, Inc. 4850 East 49th Street, CC-11 Cleveland, OH 44125	Westmoreland County Hempfield Township	UNT to Jacks Run	Y
PAS226103 Industrial Waste	Whetsel Lumber Company 118 Academy Drive Addison, PA 15411	Somerset County Addison Borough	UNT to Youghiogheny River	Y
PA0021822 Sewage	Borough of Berlin 700 North Street P. O. Box 115 Berlin, PA 15530-0115	Somerset County Borough of Berlin	Buffalo Creek	Y
PA0028410 Sewage	Municipal Auth. of the Borough of Baden P. O. Box 143 149 State Street Baden, PA 15005	Beaver County Baden Borough	Ohio River	N
PA0093262 Sewage	Industrial Leasing Systems P. O. Box 1311 Charleston, WV 25325	Washington County North Bethlehem Township	Drainage Swale to Little Chartiers Creek	Y
PA0205982 Sewage	D. Bruce Wise 225 Horseshoe Drive Ebensburg, PA 15931	Cambria County Cambria Township	UNT of Howells Run	Y
PA0216470 Sewage	Consolidation Coal Company P. O. Box 355 172 Route 519 Eighty Four, PA 15330	Greene County Jefferson Township	UNT of Pumpkin Run	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0100676	Reorganized Church of Jesus Christ of Latter Day Saints—Camp Temple Grove 347 Hamburg Road Transfer, PA 16154	Delaware Township Mercer County	Shenango River and UNT to the Shenango River 20-A	Y
PA0222984	Spartansburg Borough P. O. Box 222 Spartansburg, PA 16434	Sparta Township Crawford County	East Branch Oil Creek 16-E	Y
PA0220736	Flying “W” Ranch HC 2, Box 150 Tionesta, PA 16353	Kingsley Township Forest County	UNT to Church Run 16-F	Y

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

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

**NPDES Permit No. PA0058840**, Industrial Waste, **Hilltown Township Water and Sewer Authority**, 316 Highland Park Road, Sellersville, PA 18960. This proposed facility is located in Hilltown Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for a new permit to discharge treated sewage into Neshaminy Creek in Watershed 2F.

**NPDES Permit No. PA0050547**, Sewage, **Indian Run Village Mobile Home Park STP**, 2021 Spring Road, Suite 450, Oak Brook, IL 60523. This proposed facility is located in West Brandywine Township, **Chester County**.

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

**NPDES Permit No. PA0053082**, Sewage, **Alexander Hionis & Partners**, P. O. Box 208, Route 52, Mendenhall, PA 19357. This proposed facility is located in Kennett Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated into an UNT to Brandywine Creek in Watershed 3I.

**NPDES Permit No. PA0046868**, Sewage, **Lower Moreland Township Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006. This proposed facility is located in Lower Moreland Township, **Montgomery County**.

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

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

**NPDES Permit No. PA0247090**, Sewage, **York Building Products Company, Inc.**, P. O. Box 1708, York, PA 17405. This proposed facility is located in Lower Swatara Township, **Dauphin County**.

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

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

**PAS214801**, Industrial Waste SIC, 3273, **Little Lisa Inc. dba Wayne Concrete**, 262 Route 44, Shinglehouse, PA 16748. This existing facility is located in Eulalia Township, **Potter County**.

Description of Proposed Activity: This proposed action is for issuance of an NPDES permit for an existing discharge of stormwater.

The receiving stream, storm drain to Mill Creek, is in the State Water Plan watershed 16C and classified for: HQ-CWF. The nearest downstream public water supply intake is assumed to be the NY/PA border is located on Allegheny River is 48 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.018 mgd.

<i>Parameter</i>	<i>Mass (lbs/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>				Report	
COD				Report	
Oil and Grease				Report	
TSS				Report	
Total Kjeldahl Nitrogen				Report	
Total Phosphorous				Report	
Total Iron				Report	

Best Management Practices (BMP)

1. Diversion of off site stormwater to prevent run on of stormwater from neighboring properties.

2. Isolation of truck wash water from the stormwater by pumping the truck wash water to the detention basin and regular cleaning of the solids in truck wash water sump.

3. Utilize a stormwater sediment trap before discharging to a grassy swale.

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

**NPDES Permit No. PA0028657-A1.** Sewage, **Nanty Glo Sanitary Sewer Authority**, 879 Wood Street, Nanty Glo, PA 15943. This proposed facility is located in Nanty Glo Borough, **Cambria County**.

Description of Proposed Action/Activity: NPDES permit amendment to increase discharge flow from 0.55 mgd to 0.975 mgd.

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

**NPDES Permit No. PA0023124,** Sewage Amendment No. 4, **Albion Borough Municipal Authority**, 15 Smock Avenue, Albion, PA 16401. This proposed facility is located in Conneaut Township, **Erie County**.

Description of Proposed Action/Activity: This project is to authorize the stormwater discharge from the wastewater treatment plant site.

### **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. 4604409,** Sewerage, **West Norriton Township**, 1630 West Marshall Street, Jeffersonville, PA 19403-3236. This proposed facility is located in West Norriton Township, **Montgomery County**.

Description of Proposed Action/Activity: Rehabilitation of existing pump station.

**WQM Permit No. 1500421 C-1,** Sewerage, **Upper Uwchlan Township**, 140 Pottstown Pike, Chester Springs, PA 19425. This proposed facility is located in Upper Uwchlan Township, **Chester County**.

Description of Proposed Action/Activity: Collection and conveyance system to include gravity sewers, a pumping station and force main.

**WQM Permit No. 1503409 Amendment No. 2,** Sewerage, **East Fallowfield Township**, 2264 Strasburg Road, East Fallowfield, PA 19320. This proposed facility is located in East Fallowfield Township, **Chester County**.

Description of Proposed Action/Activity: Increased operating capacity of Robins Cove PS No. 2 from 52,775 gpd to 139,401 gpd.

**WQM Permit No. 4604416,** Sewerage, **Lower Moreland Township Municipal Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006-6234. This proposed facility is located in Lower Moreland Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a pumping station serving 20 EDU's and discharging into Lower Moreland Township sanitary sewer collection system.

**QM Permit No. 4604413,** Sewerage, **Borough of Conshohocken Authority**, 601 East Elm Street, Conshohocken, PA 19428-1914. This proposed facility is located in Borough of Conshohocken, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of 5 buildings consisting of 375 apartments and clubhouse.

**WQM Permit No. 1504413,** Sewerage, **East Fallowfield Township**, 2264 Strasburg Road, East Fallowfield, PA 19320. This proposed facility is located in East Fallowfield Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a wastewater pump station serving 77 single family residential lots and 81 townhouse units.

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

**WQM Permit No. 2204201,** Sewerage, **York Building Products Company, Inc.**, P. O. Box 1708, York, PA 17405. This proposed facility is located in Lower Swatara Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction/Installation of wastewater treatment plant to serve the Harrisburg Building Units Division Industrial Wastewater Treatment Facility.

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

**WQM Permit No. 4104403,** Sewerage, **Borough Of Duboistown**, 2651 Euclid Avenue, Duboistown, PA 17702. This proposed facility is located in Borough of Duboistown, Borough, **Lycoming County**.

Description of Proposed Action/Activity: Construction of a replacement pump station to increase station capacity to 0.864 mgd and increase the size and relocate a small portion of the forcemain.

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

**WQM Permit No. 0270413-A2,** Sewerage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108. This proposed facility is located in Moon Township, **Allegheny County**.

Description of Proposed Action/Activity: replacement of the gas chlorination with a liquid chlorination system to serve Montour Run STP.

**WQM Permit No. 0404401,** Sewerage, **Big Beaver Municipal Authority**, 114 Forrest Drive, Darlington, PA 16115. This proposed facility is located in Big Beaver Borough, **Beaver County**.

Description of Proposed Action/Activity: Sewer extension along Stockman Run to serve the Route 60/351 area.

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

**WQM Permit No. WQG018331**, Sewerage, **Thomas Stewart**, 102 Clubhouse Road, Bernville, PA 19506. This proposed facility is located in Toby Township, **Clarion County**.

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

**WQM Permit No. WQG018343**, Sewerage, **Edward D. Long**, 3588 Perry Highway, Slippery Rock, PA 16057. This proposed facility is located in Farmington Township, **Warren County**.

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

**WQM Permit No. WQG018353**, Sewerage, **Richard R. and Sandra H. Thomas**, 452 Munntown Road, Eight Four, PA 15330. This proposed facility is located in President Township, **Venango County**.

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

**WQM Permit No. 2504418**, Sewerage, **Harborcreek Township Sewer Authority**, 5601 Buffalo Road, Harborcreek, PA 16421-1625. This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for construction of a pump station and sewer extension to serve the Harbor Ridge Development which will include single family homes, single family patio home condominiums and townhouse condominiums with an 18 hole golf course.

**WQM Permit No. 2504410**, Sewerage, **City of Erie**, 626 State Street, 5th Floor, Erie, PA 16501-2202. This proposed facility is located in City of Erie, **Erie County**.

Description of Proposed Action/Activity: This project is to construct a chlorine contact tank to disinfect the overflow of the Overflow Retention Facility.

**WQM Permit No. WQG018340**, Sewerage, **John C. Rupert**, 10023 Route 98, Edinboro, PA 16412. This proposed facility is located in Franklin Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility to serve 3 homes with mal-functioning on-lot systems.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAI 133516	D. A. Higgins, Commanding Officer NSA Mechanicsburg Naval Support Activity Mechanicsburg 5450 Carlisle Pike P. O. Box 2020 Mechanicsburg, PA 17055-0788	Cumberland County	Hampden Township	Trindle Spring Run / CWF	Y

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504031	Richard Wilson Richard Wilson Subdivision 300 Lucky Hill Road West Chester, PA 19380	Chester	Honey Brook Township	UNT East Branch Brandywine Creek (HQ)



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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025204008	Milford Arcadia Group, LLP 113 7th Street, No. 122 Milford, PA 18337	Pike	Milford Township	Deep Brook, EV; Crawford Branch, HQ-CWF; Vandermark Creek, HQ-CWF; and, Delaware River, WWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS-10-1016-1-R	The McNaughton Company Francis McNaughton 4400 Deer Path Rd. Suite 201 Harrisburg, PA 17110	Dauphin	Susquehanna Township	UNT to Paxton Creek/WWF
PAI-0328-04-005	PennDOT District 8-0, 2410 Herr Street Harrisburg, PA 17103-1699	Franklin	Antrim & Guilford Townships	Muddy Run and Falling Spring Branch Conococheague Creek/HQ-CWF
PAY 10-Y-071	Scott W. and Janette G. Morris 23 McCurly Drive New Freedom, PA 17349	York	Springfield Township	Seaks Run/HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041404013	Park Forest Enterprises 1000 W. Aaron Dr. State College, PA 16803	Centre	Patton Township	Buffalo Run HQ-CWF
PAS10F073R	Fillmore Associates LP 100 N. Patterson St. State College, PA 16801	Centre	Benner township	Unt. Buffalo Run HQ-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 Single Residence Sewage Treatment Plants
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines

PAG-11 (To Be Announced)  
 PAG-12 CAFOs  
 PAG-13 Stormwater Discharges from MS4

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Tinicum and Ridley Township Delaware County	PAG2002304062	Department of Transportation 7000 Geerdes Boulevard District 6-0 King of Prussia, PA 19468	Darby Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bethel Township Delaware County	PAG2002304064	Matt Russo 416 MacDade Boulevard Folsom, PA 19033	Naamans Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Aston Township Delaware County	PAG2002304058	Brian Datte One Neumann Drive Aston, PA 19014	Chester Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Perkiomen Township Montgomery County	PAG2004604175	Swede Group, Inc. Swarr Development 1504 Lexington Drive Dresher, PA 19025	Perkiomen Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015103018	Arthur Ashe Youth Tennis and Education Center Arthur Ashe Tennis Center 3901 B Main Street, Suite 304 Philadelphia, PA 19127	Schuylkill River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Scranton Lackawanna County	PAG2003504031	Arthur Russo 124 N. Main Ave. Scranton, PA 18504	Keyser Creek, CWF	Lackawanna County Cons. Dist. (570) 281-9495
North Manheim Township Schuylkill County	PAG2005404034	Schuylkill Haven Borough 12 W. Main St. Schuylkill Haven, PA 17972	Tumbling Run Creek, CWF	Schuylkill County Cons. Dist. (570) 622-3742
City of Reading Berks County	PAG2-0006-04-115	David Stauffer United Corrstack 720 Laurel Street Reading PA 19602	Schuylkill River/WWF	Berks County Conservation District 1238 County Welfare Rd. P. O. Box 520, Leesport, PA 19533 (610) 372-4657 ext. 209
Maxatawny Township Berks County	PAG2-0006-04-122	Fiorino Grande Grande Construction 108 South Hull Street Sinking Spring, PA 19608	Sacony Creek/TSF	Berks County Conservation District 1238 County Welfare Rd. P. O. Box 520, Leesport, PA 19533 (610) 372-4657 ext. 209
Lower Paxton Township Dauphin County	PAG2-0022-04-033	Wal-Mart Stores, Inc. 2001 NE 10th Street Bentonville, AK 72716-0550	Beaver Creek WWF & Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin PA 17018 717-921-8100
Steelton Borough/Lower Swatara Township, Dauphin County	PAG2-0022-05-002	Edward Kraemer & Sons Inc 185 Second St. Highspire, PA 17034	Susquehanna River WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin PA 17018 717-921-8100

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Caenarvon Township Berks County	PAG2-0006-04-067	Gary McEwen Welsh Hill Holdings P. O Box 559 Elverson PA 19520	UNT to the Conestoga / WWF	Berks County Conservation District 1238 County Welfare Rd. P. O. Box 520, Leesport, PA 19533 (610) 372-4657 ext. 209
Robeson Township Berks	PAG2-0006-04-112	Edward Cone CF Farms Partnership 4020 West Main St. Elverson PA 19520	Tributary to Hay Creek CWF / MF	Berks County Conservation District 1238 County Welfare Rd. P. O. Box 520, Leesport, PA 19533 (610) 372-4657 ext. 209
Spring Township Berks County	PAG2-0006-04-119	Steve Najarian Carlino Dev. Group 825 Berkshire Blvd Ste 203 Wyomissing, PA 19610	Cacoosing Creek / WWF	Berks County Conservation District 1238 County Welfare Rd. P. O. Box 520, Leesport, PA 19533 (610) 372-4657 ext. 209
City of Reading Berks County	PAG2-0006-05-001	William Hill Albright College 13th and Bern Street Reading PA 19612	Schuylkill River WWF / MF	Berks County Conservation District 1238 County Welfare Rd. P. O. Box 520, Leesport, PA 19533 (610) 372-4657 ext. 209
Bradford County Burlington Township	PAG2000805001	Bruce L. Fowler R. R. 3, Box 151A Towanda, PA 18848	Unt. Sugar Creek CWF	Bradford County Conservation District R. R. 5, Box 5030C Stoll Natural Resource Center Towanda, PA 18848 (570) 265-5539x205
Centre County Spring & Walker Townships	PAR10F1072R	Robert Kerstetter Estate c/o Emma Lou Kerstetter 1536 Zion Rd. Bellefonte, PA 16823	Nittany Creek CWF	Centre County Conservation District 414 Holmes Ave., Bellefonte, PA 16823 (814) 355-6817
Centre County Benner & Spring Townships	PAG2001404020	Richard Fiore, Sr. Leonard S. Fiore Inc. 5507 Sixth Ave., Rear Altoona, PA 16602	Unt. Logan Branch CWF	Centre County Conservation District 414 Holmes Ave., Bellefonte, PA 16823 (814) 355-6817
Columbia County Scott Township	PAG2001904011	Columbia County Housing Corp. 700 Sawmill Rd. Bloomsburg, PA 17815	Susquehanna River Tributaries-WWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310
Cambria County Ebensburg Borough	PAG2001104015	Jeffrey S. Long R. D. 1, Box 426 Tyrone, PA 16686	North Branch Little Conemaugh River (CWF)	Cambria County CD (814) 472-2120
Cambria County City of Johnstown	PAG2001104017	William L. Gregory Conemaugh Health System 1086 Franklin Street Johnstown, PA 15905	Cherry Run (WWF)	Cambria County CD (814) 472-2120
Cambria County Westmont Borough	PAG2001104018	Irving Cure Cambria County Transit Authority 726 Central Avenue Johnstown, PA 15905	Stonycreek River (WWF)	Cambria County CD (814) 472-2120

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Indiana County Montgomery	PAG2003204014	H. Daniel Cessna Department of Transportation 2550 Oakland Avenue Indiana, PA 15701	Cush Creek (CWF)	Indiana County CD (724) 463-8547
Butler County Adams Township	PAG2-0010-04-030	Union Church Road Sewer Line Extension Project Breakneck Creek Regional Authority	UNT Breakneck Creek- WWF	Butler County Conservation District (724) 2845270
Crawford County City of Meadville	PAG2-0020-05001	Andrew Masse Meadville Medical Center 1034 Grove St. Meadville PA 16335	Mill Run-WWF	Crawford County Conservation District (814) 724-1793
Hazle Township, Luzerne County	PAG2114004002	DEP—BAMR 2 Public Square, 5th Floor Wilkes-Barre, PA 18711-0790	Cranberry Creek / CWF	DEP—BAMR 2 Public Square, 5th Floor Wilkes-Barre, PA 18711-0790 (570) 826-2371
<i>General Permit Type—PAG-3</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Williamsport Lycoming County	PAR204821	Williamsport Foundry Co. Inc. 164 Maynard Street Williamsport, PA 17720	West Branch Susquehanna River WWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Piatt Township Lycoming County	PAR604823	Louis & Wade Shedly Auto Sales 1545 Devils Elbow Road Jersey Shore, PA 17740	Seeley Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Cambria County City of Johnstown	PAR126105	Pepsi Bottling Group, LLC 167 Allenbill Drive Johnstown PA 15904	Stoneycreek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Allegheny County West Deer Borough	PAR326101	IA Construction Corporation 158 Lindsay Road Zelienople PA 16063	West Branch Deer Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Fayette County Jefferson Township	PAR606135	Assad Iron & Metals Inc P. O. Box 76 Albany Road Brownsville PA 15417	Redstone Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Fayette County Morrell Township	PAR606149	Bob's Used Auto & Truck Parts 1701 Morrell Avenue Connellsville PA 15425	Unnamed feeder to Dunbar Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Ligonier Township Westmoreland County	PAR606153	Malinish's Auto Wreckers Inc 110 Elk Lane Ligonier PA 15658	Mill Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
<i>General Permit Type—PAG-4</i>				
<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Buckingham Township Bucks County	PAG040022	Lester R. Garnas Carol Landis 1492 Sugar Bottom Road Furlong, PA 18925	UNT to Neshaminy Creek Watershed 2F	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Westmoreland County Derry Township	PAG046299	Dolores M Hajas P. O. Box 194 Crabtree PA 15624	Drainage Swale to UNT of Stoney Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Toby Township, Clarion County	PAG049124	Thomas Stewart 102 Clubhouse Road Bernville, PA 129506	UNT to Licking Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Farmington Township, Warren County	PAG049135	Edward D. Long 3588 Perry Highway Slippery Rock, PA 16057	UNT to Jackson Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
President Township, Venango County	PAG049145	Richard R. and Sandra H. Thomas 452 Munntown Road Eighty Four, PA 15330	Allegheny River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Franklin Township Erie County	PAG049132	John C. Rupert 10023 Route 98 Edinboro, PA 16412	UNT to Little Elk Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bethel Park Borough Allegheny County	PAG056197	ConocoPhillips Company Bayway Office Building 1400 Park Avenue Linden NJ 07036	Graeser Run Creek (UNT to Chartiers Creek)	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Slippery Rock Borough Butler County	PAG058364	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602-1111	UNT to Slippery Rock Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-8 (SSN)**Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
St. Thomas Township Franklin County	PAG083587	Chambersburg Borough 100 S. Second St. Chambersburg, PA 17201	J. Robert Meyers Farm St. Thomas Township Franklin County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Leonard Farm Biosolids Site Green Township Indiana County		Redevelopment Auth. of the City of Johnstown 241 Asphalt Road Johnstown PA 15906	Dornick Point WWTP	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-9**Facility Location &  
County/Municipality*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Contact Office &amp; Phone No.</i>
Derry Township Mifflin County	PAG093545	Brannon and Royer Septic Pumping Service 1922 Back Maitland Rd. Lewistown, PA 17044	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Spring Township Perry County	PAG093528	Advanced Septic Services 65 Richard Lane Landisburg, PA 17040	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

### SAFE DRINKING WATER

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

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

**Operations Permit** issued to: **Exelon Nuclear**, 7670905, Delta Borough, **York County** on 1/11/2005 for the operation of facilities approved under Construction Permit No. 6705501 MA.

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

**Permit No. 1402506—Operation** Public Water Supply.

Applicant	<b>Spring Township Water Authority</b>
Township or Borough	Spring Township
County	<b>Centre</b>
Responsible Official	Richard J. Payne, Chairman Spring Township Water Authority 1309 Blanchard Street Bellefonte, PA 16823

Type of Facility	Public Water Supply—Operation
Consulting Engineer	Andrew Johnson Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Permit Issued Date	1/11/05
Description of Action	Operation of the Carles Well, treatment building and transmission lines.

**Permit No. 1403503—Operation** Public Water Supply.

Applicant	<b>Spring Township Water Authority</b>
[Township or Borough]	Spring Township
County	<b>Centre</b>
Responsible Official	Richard J. Payne, Chairman Spring Township Water Authority 1309 Blanchard Street Bellefonte, PA 16823
Type of Facility	Public Water Supply—Operation
Consulting Engineer	Andrew Johnson Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Permit Issued Date	1/13/05
Description of Action	Operation of the Pleasant Gap Booster Pump Station; lining of the Pleasant Gap Reservoir; redesign of the Carles Well pump and transmission line.

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

**Permit No. 0204504, Minor Amendment.** Public Water Supply.

Applicant	<b>Pennsylvania American Water Company</b> 800 Hersheypark Drive Hershey, PA 17033
Borough or Township	Lincoln Borough
County	<b>Allegheny</b>
Type of Facility	Lincoln Borough water storage tank
Consulting Engineer	
Permit to Construct Issued	January 6, 2005

**Permit No. 461W001-T1-A3, Minor Amendment.** Public Water Supply.

Applicant	<b>Harrison Township Water Authority</b> 1705 Rear Freeport Road Natrona Heights, PA 15065
Borough or Township	Harrison Township
County	<b>Allegheny</b>
Type of Facility	WTP—filter backwash recycle pump

Consulting Engineer NIRA Consulting Engineers, Inc.  
950 Fifth Avenue  
Coraopolis, PA 15108

Permit to Construct January 6, 2005  
Issued

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

#### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Oliver Township	274 Lockport Road Lewistown PA 17044	Mifflin

*Plan Description:* The approved plan provides for a change in the method of sewage service for the Lockport Village sewage service area from a new sewage treatment plant to a pump station and force main tributary to the existing Strodes Mills sewage treatment plant. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

### HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

#### Amendment to Consent Order and Agreement

#### Honeywell International, Inc., Former Bendix Flight Systems Montrose Plant, Bridgewater Township, Susquehanna County

Bendix Flight Systems, formerly a unit of Allied Signal Inc., now Honeywell International, Inc. (Honeywell) has petitioned the Department of Environmental Protection (Department) for revisions to the November 30, 1987, Consent Order and Agreement (CO&A), as amended on June 1, 1995. The CO&A covers a Water Supply Agreement providing for the furnishing of alternative water supplies to certain residences or commercial establishments and the sampling of water supplies in offsite residential wells in South Montrose, PA.

The proposed amendment to the CO&A deals with revisions to several technical issues and not to the overall intent of the CO&A. The proposed revisions to the CO&A are as follows:

1. A reduction in sampling frequency from semi-annually (two times a year) to annually (one time a year) for residential wells.
2. A reduction in sampling frequency from annually to once every 3 years for residential wells that have unfiltered water.
3. A change in the analytical method, from EPA SW-846, Method 8021 to EPA SW-846, Method 8021B.
4. A termination of filtration units at selected filtered water supplies where sampling has indicated untreated well water is acceptable for drinking water purposes.

This public notice is being published in the *Pennsylvania Bulletin* and the *Scranton Times* newspaper by the Department and Honeywell. Written comments concerning the proposed revisions to the CO&A as contained in the Amendment to the Consent Order and Agreement will

be accepted in person, if delivered, or by mail, if post-marked within 60 days of publication of this public notice. All written comments are to be sent to the attention of Woodrow R. Cole, Project Officer, Department of Environmental Protection, Environmental Cleanup Program, 2 Public Square, Wilkes-Barre, PA 18771. Copies of the Amendment to the Consent Order and Agreement and the 1987 Consent Order and Agreement will be on file for public review at the following locations: 1) Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA; and 2) Susquehanna County Planning Commission, 31 Public Ave., Montrose, PA. These documents will be available for public inspection Monday through Friday, 8 a.m. to 4 p.m., at the previously mentioned locations.

#### Prompt Interim Response

#### Eastmont Dry Cleaner Site, Monroeville Borough, Allegheny County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has initiated a prompt interim response at the Eastmont Dry Cleaner Site (Site), 4137 William Penn Highway, Borough of Monroeville, Allegheny County. This response has been initiated under sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)).

The property has been the location of dry cleaning operations dating to 1970. Analytical data generated by Walnut Capital, a prospective buyer for the Site, indicates that groundwater onsite and offsite in the area of Kenmar Drive is contaminated with tetrachloroethene (PCE), trichloroethene (TCE) and other chlorinated hydrocarbons.

Due to concerns of vapor intrusion into residences located on Kenmar Drive, the Department conducted an investigation in the area in May 2004. Indoor air samples were taken at eight homes along Kenmar Drive. The results of the indoor air analyses indicated that PCE was present in seven of the eight homes sampled. In addition, the levels of PCE detected exceeded the ACT 2 indoor air standard in three of the eight homes sampled.

To protect the affected residents on Kenmar Drive against the inhalation of hazardous contaminants, the Department initiated a prompt interim response. The Department hired Shaw Environmental & Infrastructure, Inc. to install "reverse flow" radon remediation systems to address the indoor air problems at eight residences on Kenmar Drive. Installation of the systems took place in August of 2004. Follow up sampling of the residences will be conducted to ensure that the systems are functioning as anticipated.

This notice is being provided under sections 505(b) and 506(b) of the HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response action is available for public review and comment Monday through Friday from 8 a.m. to 4 p.m. at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA.

The administrative record will be open for comments from January 29, 2005, until April 30, 2005. Persons may submit written comments into the record, during this time only, by sending them to Paul Vogel, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by delivering them to this office in person.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing



call on March 10, 2005, at 7 p.m. at the Monroeville Municipal Building, 2700 Monroeville Boulevard. Persons wishing to present comments must register before March 10, 2005, with Helen Humphreys Short, 400 Waterfront Dr., Pittsburgh, PA 15222, (412) 442-4183.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings should call Helen Humphreys Short at (412) 442-4183 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

**Settlement under the Hazardous Sites Cleanup Act and Comprehensive Environmental Response, Compensation and Liability Act**

**Berkley Products Company Site, West Earl Township, Lancaster County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C.A. §§ 9601—9675), has entered into a proposed settlement with Berkley Products Company (Settlor).

The proposed settlement resolves claims of the Department with the Settlor under the HSCA, CERCLA and other applicable law for response costs that have been expended and will be incurred by the Department at the Berkley Products Company (Site) located in West Earl Township, Lancaster County, PA.

The proposed settlement obligates the Settlor to remit \$1,000 to the Department. The Department believes that the proposed settlement is fair, reasonable, practicable, in the public interest and in furtherance of the statutory goals of the HSCA and CERCLA. This settlement is based primarily on the Department's determination that the Settlor lacked the ability to pay a higher settlement amount.

For a period of 60 days beginning with the January 29, 2005, publication date of this notice, the public is invited to review the Consent Order and Agreement, 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 Jeff Silar at (717) 705-4842.

After review, the public may submit written comments on the Consent Order and Agreement before March 30 2005, by mailing them to Jeff Silar at the Department's Harrisburg Office at the previous address. A person adversely affected by the settlement may also file an appeal from the Consent Order and Agreement to the Environmental Hearing Board.

Questions concerning this notice should be directed to Jeff Silar at the previous telephone number and address.

**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.*

**South Philadelphia High School Track and Field**, City of Philadelphia, **Philadelphia County**. Eileen Lloyd, Powell-Harpstead, Inc., 800 E. Washington St., West Chester, PA 19380 on behalf of Marijane Hooven, School District of Philadelphia, 734 Schuylkill Ave., Philadelphia, PA 19146 has submitted a Remedial Investigation Report concerning remediation of site soil contaminated with lead, PAH and inorganics arsenic. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Church Parking Lot**, City of Philadelphia, **Philadelphia County**. Eric B. Schmidley, PG, Apex Env., Inc. 269 Great Valley Pkwy., Malvern, PA 19355 on behalf of Thomas Rovers, Church of the Lord Jesus Christ of the Apostolic Faith, 701 South 22nd St., Philadelphia, PA 19146 has submitted a Remedial Investigation Report Cleanup Plan and Final Report concerning remediation of site soil contaminated with used motor oil, kerosene and gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Former Oscar Mayer and Dupont Fac.**, City of Philadelphia, **Philadelphia County**. James A. Stynchula, PG, Pennoni Assoc., Inc., 3001 Market St., Suite 200, Philadelphia, PA 19104-2897 on behalf of Jonathan Edelstein, PAID, 2600 Centre Sq., West 1500

Market St., Philadelphia, PA 19102 has submitted a Cleanup Plan Report concerning remediation of site soil contaminated with chlorinated solvents, inorganics, other organics and PAH. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Philadelphia Gas Works 9th & Diamond**, City of Philadelphia, **Philadelphia County**. Lisa Popovics, Philadelphia Gas Works, 800 W. Montgomery Ave., Philadelphia, PA 19122 on behalf of Michael Handwerk, Philadelphia Gas Works/City of Philadelphia has submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with VOCs and semi-VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Philadelphia Gas Works Belfield**, City of Philadelphia, **Philadelphia County**. Lisa Popovics, Philadelphia Gas Works, 800 W. Montgomery Ave., Philadelphia, PA 19122 on behalf of Michael Handwerk, Philadelphia Gas Works/City of Philadelphia has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with VOCs and semi-VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Philadelphia Gas Works Passyunk**, City of Philadelphia, **Philadelphia County**. Lisa Popovics, Philadelphia Gas Works, 800 W. Montgomery Ave., Philadelphia, PA 19122 on behalf of Michael Handwerk, Philadelphia Gas Works/City of Philadelphia has submitted a Remedial Investigation Report concerning remediation of site soils contaminated with VOCs and metals and groundwater contaminated with VOCs and semi-VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Philadelphia Gas Works Tioga**, City of Philadelphia, **Philadelphia County**. Lisa Popovics, Philadelphia Gas Works, 800 W. Montgomery Ave., Philadelphia, PA 19122 on behalf of Michael Handwerk, Philadelphia Gas Works/City of Philadelphia has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with VOCs and semi-VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Philadelphia Gas Works Tioga**, City of Philadelphia, **Philadelphia County**. Lisa Popovics, Philadelphia Gas Works, 800 W. Montgomery Ave., Philadelphia, PA 19122 on behalf of Michael Handwerk, Philadelphia Gas Works/City of Philadelphia has submitted a Remedial Investigation Report concerning remediation of site soils contaminated with VOCs and metals and groundwater contaminated with VOCs and semi-VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Former Formal Affairs, Inc.**, Willistown Borough, **Chester County**. Stephan B. Fulton, PE, PG, ARM Group, Inc., 561 West Chocolate Ave., Hershey, PA 17033 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Pusey Property/the Hills of London Grove**, London Grove Township, **Chester County**. Andrew L. Marchioni, JCMECI, 100 Lake Dr., Newark, DE 19702 on behalf of Phil Pusey, P. O. Box 485, Avondale, PA 19390 has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Penn Mar Oil Company**, Chambersburg Borough, **Franklin County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, submitted a revised Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with BTEX and PAHs. The report is intended to document remediation of the site to a combination of the Statewide Health and Site-specific 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.*

**Vacant Property/5040 Belfield Ave.**, City of Philadelphia, **Philadelphia County**. Staci Nelson-Cottone, American Resource Consultants, Inc., P. O. Box 579, Quakertown, PA 18951 on behalf of Elliot and Rose Mary Timms, 1862 Lindley St., Philadelphia, PA 19141 has submitted a Work Plan concerning the remediation of site soil and groundwater contaminated with petroleum. The Work Plan was approved by the Department on December 10, 2004.

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

**McCarthy Tire Facility, formerly Laird Plastics**, Swatara Township, **Dauphin County**. Quad Three Group Inc., 72 Glenmaura National Boulevard, Moosic, PA 18507, on behalf of McCarthy Tire, 1111 Agnes Street, Harrisburg, PA 17104, submitted a Notice of Intent to Remediate site soil contaminated by No. 2 fuel oil from an underground storage tank. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on January 6, 2005.

**Penbrook American Legion, Post 730**, Susquehanna Township, **Dauphin County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Penbrook American Legion No. 730, 3813 Walnut Street, Harrisburg, PA 17109, submitted a Final Report concerning remediation of site soils contaminated by petroleum hydrocarbons. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on January 12, 2005.

**Reading Eagle Distribution Facility**, City of Reading, **Berks County**. Synergy Environmental, Inc. Center City Executive Centre, 607 Washington Street, Reading, PA 19601, on behalf of Reagle Realty Company, 345 Penn Street, P. O. Box 582, Reading, PA 19603, submitted a Remedial Investigation Report and a Final Report concerning remediation of site soils and groundwater contaminated with lead, chlorinated solvents and other organics. The report demonstrated attainment of a combination of the Statewide Health and Site-specific standards, and the combined report was approved by the Department on January 12, 2005.

#### 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*

**Culp Petroleum Company, Inc.**, P. O. Box 10815, Rock Hill, SC 29731. License No. PA-AH 0673. Effective December 8, 2004.

**Lancaster Oil Company**, 1062 Old Manheim Pike, Lancaster, PA 17601. License No. PA-AH 0679. Effective December 10, 2004.

**Ashland Distribution Company**, P. O. Box 2219, Columbus, OH 43216. License No. PA-AH 0121. Effective December 10, 2004.

**Environmental Transport Group, Inc.**, P. O. Box 296, Flanders, NJ 07836-0296. License No. PA-AH 0104. Effective December 16, 2004.

**DTC Environmental Services, Inc.**, 2567 Congo Arroyo Road, Newell, WV 26050. License No. PA-AH 0612. Effective December 28, 2004.

**Buffalo Fuel Corp.**, 4870 Packard Road, Niagara Falls, NY 14304. License No. PA-AH 0147. Effective December 29, 2004.

**Onyx Waste Services, Inc.**, P. O. Box O, Brockway, PA 15824. License No. PA-AH 0699. Effective December 30, 2004.

**Triumvirate Environmental, Inc.**, 61 Inner Belt Road, Somerville, MA 02143. License No. PA-AH 0477. Effective December 30, 2004.

**Clean Harbors Environmental Services**, 1501 Washington Street, Braintree, MA 02185. License No. PA-AH 0312. Effective January 3, 2005.

**Ross Transportation Services, Inc.**, 36790 Giles Road, Grafton, OH 44044. License No. PA-AH 0133. Effective January 7, 2005.

**MCF Systems Atlanta, Inc.**, 5353 Snapfinger Woods Drive, Decatur, GA 30035. License No. PA-AH S240. Effective January 7, 2005.

**Empire Wrecking Co. of Reading**, PA, 1420 Clarion Street, Reading, PA 19601. License No. PA-AH 0255. Effective January 5, 2005.

*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 Voluntarily Terminated*

**Transervice Logistics, Inc.**, 5 Dakota Drive, Lake Success, NY 11042. License No. PA-AH 0702. Effective December 14, 2004.

#### 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), the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) 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*

**Pet Memorial Services Corp.**, 319 Westtown Road, Suite Q, West Chester, PA 19382. License No. PA-HC 0195. Effective December 29, 2004.

**NYESC Acquisition Corp.**, 1281 Viele Avenue, Bronx, NY 10474. License No. PA-HC 0216. Effective January 4, 2005.

**The Williamsport Hospital**, 777 Rural Avenue, Williamsport, PA 17701. License No. PA-HC 0186. Effective January 6, 2005.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 101609. BFI Waste Systems of North America Inc.**, 400 River Road, Conshohocken PA, 19428-2600, Upper Merion Township, **Montgomery County**. This permit is for the 10-year renewal of the solid waste permit for the continuing operation of the BFI River Road Transfer Station located in Upper Merion Township, Montgomery County. The permit was issued by the Southeast Regional Office on January 10, 2005.

**Permit No. 101463. BFI Waste Systems of North America, Inc.**, 2904 South Christopher Columbus Blvd, Philadelphia, PA 19148, City of Philadelphia. This solid waste permit is to allow for the short-term, continued operation of the TRC Transfer Station under previously permitted terms and conditions during the pendency of the 10-year renewal application. The permit was issued by the Southeast Regional Office on January 10, 2005.

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

**Permit ID No. 301266. Rohanna Iron and Metal, Inc.**, 100 Jennings Avenue, Waynesburg, PA 15370-3469. Operation of a Residual Waste Processing Facility in Franklin Township, **Greene County**. Permit renewal issued in the Regional Office on January 12, 2005.

## 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.*

**64-310-017GP3: Reading Materials, Inc.** (P. O. Box 1467, 2052 Lucon Road, Skippack, PA 19474) on January 12, 2005, to construct and operate a portable stone crushing plant and associated air cleaning device at their Atkinson Materials Quarry, in Palmyra Township, **Wayne County**.

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

**GP1-36-03153: AFP Advanced Food Products, LLC** (158 West Jackson Street, New Holland, PA 17557) on January 11, 2005, for Small Gas and No. 2 Oil Fired Combustion Units Under GP1 in New Holland Borough, **Lancaster County**.

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

**GP5-17-08A: Great Lakes Energy Partners, LLC** (Route 85 and Northern Avenue, Yatesboro, PA 16262) on

December 13, 2004, to operate a 120 horsepower natural gas-fired reciprocating internal combustion compressor engine equipped with an air/fuel ratio controller and a catalytic converter, and to operate a 150,000 btu per hour dehydrator, pursuant to the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP-5) at their Grampian site in Penn Township, **Clearfield County**.

**GP4-49-01: Sol-ler Manufacturing and Finishing, Inc.** (1200-A Matthews Street, Watsonstown, PA 17777) on December 20, 2004, to operate a burn-off oven pursuant to the General Plan Approval and General Operating Permit for Burn-Off Ovens (BAQ-GPA/GP-4) in Watsonstown Borough, **Northumberland County**.

**GP5-17-07C: EOG Resources, Inc.** (Millcraft Plaza Once, Suite 300, 400 South Pointe Boulevard, Canonsburg, PA 15317) on December 22, 2004, to construct and operate a 125,000 btu per hour dehydrator pursuant to the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP-5) at their South Compressor Station in Brady Township, **Clearfield County**.

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

**42-178: Glenn O. Hawbaker, Inc.—Turtle Point** (Chaplin Hill Road, Turtle Point, PA 16750) on January 13, 2005, to operate a mobile screening unit in Annin Township, **McKean County**.

**27-031: PA General Energy LLC—Guiton Run** (Forest Route 127, Marionville, PA 16239) on January 11, 2005, for two natural gas fired compressor engines in Jenks Township, **Forest 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.*

**36-05001B: Armstrong World Industries, Inc.** (1507 River Road, Marietta, PA 17547) on January 13, 2005, to modify the dry saw operational area of their Marietta ceiling tile plant in East Donegal Township, **Lancaster County**.

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

**17-399-023: Prism Enterprises, LLC d/b/a Permagrain** (1191 Venture Drive, Forest, VA 24551) on December 14, 2004, to construct wood and plastic sawing, sanding, etc. equipment and associated air cleaning device (a fabric collector) in Karthaus Township, **Clearfield County**.

**55-399-006: Apex Homes, Inc.** (247 US Highway 522 North, Middleburg, PA 17842) on December 28, 2004, to construct a modular home manufacturing operation in Middlecreek Township, **Snyder County**.

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

**03-00239A: T.J.S. Mining, Inc.** (R.D. 1, Box 260D, Shelocta, PA 15774) on January 11, 2005 to construct and operate a coal preparation plant and a 1,341 bhp Caterpillar diesel engine at their No. 5 Deep Mine in South Bend Township, **Armstrong County**.

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

**33-107A: Beverage Air** (Progress Street, Brookville, PA 15825) on December 29, 2004, to initiate solvent wiping for preparation of sheet metal and metal parts that will generate approximately 8.17 TPY VOC emissions in the City of Brookville, **Jefferson County**.

**10-235A: Sunshine Greenhouse, Inc.** (915 Ekastown Road, Saxonburg, PA 16056) on January 10, 2005, to reactivate a 5.7 mmbtu/hr bituminous coal fired boiler in Clinton Township, **Butler County**. This is a State Only facility.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, 215-823-7584.*

**AMS 03082: Puro-lite Co.** (3620 G Street, Philadelphia, PA 19134) on December 17, 2004, to install a 4000 gallon acid diluter in Philadelphia, **Philadelphia County**.

**AMS 03134: Henry H Ottens Manufacturing Co.** (7800 Holstein Ave, Philadelphia, PA 19153) on December 21, 2004, to install 11 batch reactors, 4 spray dryers, 7 ribbon blenders and associated storage tanks and control devices in Philadelphia, **Philadelphia County**.

**AMS 04107: Philadelphia Gas Works** (3100 East Venango Street, Philadelphia, PA. 19122) on December 30, 2004, to install a turbine compressor in Philadelphia, **Philadelphia County**.

**AMS 04233: EcoTechnology, Inc.** (717 South Columbus Boulevard, Suite 1505, Philadelphia, PA 19147) on January 14, 2005, to install a sewage sludge gasifier in Philadelphia, **Philadelphia County**.

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**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.**

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

**23-302-139GP: Honeywell International, Inc.** (6100 Philadelphia Pike, Claymont, PA 19703) on January 13, 2005, to operate two natural gas fired combustion units in Marcus Hook Borough, **Delaware County**.

**09-0019A: Miller and Son Paving, Inc.** (1371 West Street Road, Warminster, PA 18974) on January 13, 2005, to operate a batch asphalt plant in Wrightstown Township, **Bucks County**.

**46-0033B: Waste Management Disposal Services of PA, Inc.** (1425 Sell Road, Pottstown, PA 19464) on January 13, 2005, to operate a landfill gas collection system in West Pottsgrove Township, **Montgomery County**.

**46-0036A: Visteon Systems LLC** (2750 Morris Road, Lansdale, PA 19446) on January 13, 2005, to operate five diesel engines in Worcester Township, **Montgomery County**.

**46-0069A: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on January 13, 2005, to operate a stone crushing plant in Whitmarsh Township, **Montgomery County**.

**46-0069: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on January 14, 2005, to operate a portable crushing plant and two engines in Whitmarsh Township, **Montgomery County**.

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

**65-00280A: Kalumetals Inc.** (P. O. Box 455, Latrobe, PA 15650) on January 7, 2005, for thermal oxidizer/afterburner at Derry Plant in Derry Township, **Westmoreland County**. This plan approval has been extended.

**03-00229D: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) on January 11, 2005, to construct a coal preparation plant at Logansport Mine in Bethel Township, **Washington County**. This plan approval has been extended.

**32-00365B: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) on January 11, 2005, to construct an air jig at their Dutch Run Mine coal preparation plant in Washington Township, **Indiana County**. This plan approval has been extended.

**04-00707C: Colona Transfer, LP** (P. O. box 311, Currie Road, Portersville, PA 16051) on January 11, 2005, to install a barge excavator, a bulk material handling and a product warehousing operation at Colona dock Terminal in Monaca Borough, **Beaver County**.

**03-00224B: McVilleville Mining Co.** (301 Market Street, Kittanning, PA 16201) on December 30, 2004, for their Clementine Mine No. 1 in South Buffalo Township, **Armstrong County**. The Department has modified Plan Approval PA-03-00224B by removing the annual hours of operation limitation and the speed limit restriction. The changes have no effect on emissions from the facility and do not change the Department's Best Available Technology determination.

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

**42-174D: McKean County Solid Waste Authority—Kness Landfill** (19 Ness Lane, Kane, PA 16735) on December 31, 2004, to modify their landfill gas collection system in Sergeant Township, **McKean County**.

**20-295A: Baillie Lumber Co.** (45529 State Highway Route 27 East, Titusville, PA 16354) on December 16, 2004, to construct a wood-fired boiler to generate process steam for their facility in Oil Creek Township, **Crawford County**.

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

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

**43-00196: General Electric Transportation Systems** (1503 West Main Street Extension, Grove City, PA 16127) on January 4, 2005, to re-issue their Title V Operating Permit to operate paint booths (two units), diesel engine test cell, diesel fired pump, boilers (two units) and miscellaneous natural gas fired source in

Grove City, **Mercer County**. As a result of potential emissions of NO<sub>x</sub> and VOC, the facility is not a major source for VOC but it is a major source for NO<sub>x</sub> and therefore subject to Prevention of Significant Deterioration (PSD) and Reasonable Available Control Technology (RACT). The issued renewal Title V Operating Permit does not reflect any changes in air emission from the facility. The facility is subject to Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64.

**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.*

**06-03118: UGI Utilities, Inc.** (225 Morgantown Road, Reading, PA 19612-3009) on January 13, 2005, to operate an emergency generator in the City of Reading, **Berks County**.

**06-05102: Sunsweet Growers, Inc.** (105 South Buttonwood Street, Fleetwood, PA 19522) on January 12, 2005, for their hot-filled bottle plant in the Borough of Fleetwood, **Berks County**.

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

**41-00047: Wildwood Cemetery Co.** (1151 Cemetery Street, Williamsport, PA 17701) on December 14, 2004, to operate their crematory facility in Loyalsock Township, **Lycoming County**.

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

**42-00172: Borden Chemical, Inc.** (Hutchins Road, Mount Jewett, PA 16740) on January 12, 2005, to produce urea-formaldehyde resins in Sergeant Township, **McKean County**. The facility's primary emission sources include storage tanks and a resin kettle. The emissions from this facility are well below major source levels.

**25-00192: Reed Manufacturing Co.** (1425 West 8th Street, Erie, PA 16502) on January 12, 2005, to operate a tool manufacturing facility in the City of Erie, **Erie County**. The facility's primary emission sources include machining, heat treating, degreasing, and surface coating operations. The emissions from this facility are well below major source levels.

**10-00340: Eagle Printing Company, Inc.** (114 West Diamond Street, Butler, PA 16001) on January 11, 2005, to operate a web offset lithography printing press in the City of Butler, **Butler 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.**

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

**19-00006B: Del Monte Corp.** (6670 Low Street, Bloomsburg, PA 17815) on January 7, 2005, to incorporate, via administrative amendment, conditions established for two 26.6 million btu per hour natural gas/No. 6 fuel oil-fired boilers in Plan Approval 19-00006B in South Centre Township, **Columbia County**.

**17-00007: Sensus Metering Systems—North America, Inc.** (805 Liberty Boulevard, Dubois, PA 15801-2491) on August 24, 2004, to incorporate, via administrative amendment, conditions established in Plan Approval 17-314-001F which was issued for the installation of a fiber bed mist elimination system on three existing rubber gas meter diaphragm curing ovens in the city of Dubois, **Clearfield County**.

**41-318-047: Reynolds Iron Works, Inc.** (157 Palmer Industrial Road, Williamsport, PA 17701) on January 10, 2005, to incorporate, via administrative amendment, conditions established in Plan Approval 41-318-047A for a surface coating operation in Woodward Township, **Lycoming County**.

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

**11-00356: Dominion Peoples** (625 Liberty Avenue, Pittsburgh, PA 15222) on January 11, 2005, for a minor modification to their Title V Operating Permit for Rager Mountain/Laurel Ridge Station in Jackson Township, **Cambria County**. The facility is a compressor station primarily used for the storage and distribution of natural gas. The revision changes the control device associated with Glycol Dehydrator No. 3 from a flare to a thermal oxidizer.

**32-00040: Reliant Energy Seward, LLC** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on December 22, 2004, to transfer ownership in East Wheatfield Township, **Indiana County**. Reliant Energy Seward, LLC now owns and operates the Seward Power Station. This is a Title V facility.

**56-00166: PBS Coals, Inc.** (Shade Township, Somerset County, PA) on January 12, 2005, for a minor modification to their Title V operating permit for the Shade Creek Plant in Shade Township, **Somerset County**. The modification issued to this site is to change the parameter of compliance demonstration from hours of operation/coal throughput to monitoring the amount of coal consumed in the thermal dryer. The only pollutant to increase will be carbon monoxide (3.7 tons). The NO<sub>x</sub> emission limit of 130 tons will not be exceeded.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, 215-823-7584.*

**N00-007: Federal Detention Center,** Philadelphia (700 Arch Street, Philadelphia, PA 19105) on January 10, 2005, administratively amended to change contact information in the City of Philadelphia, **Philadelphia County**. The Natural Minor Operating Permit was originally issued June 12, 2001.

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

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, 215-823-7584.*

**46-00033: Waste Management Disposal Services of Pennsylvania, Inc.—Pottstown Landfill** (1425 Sell Road, Pottstown, PA 19464) for their facility in West

Pottsgrove Township, **Montgomery County**. The facility was authorized to install a 500,000-gallon storage tank without a Plan Approval or Minor Operating Permit Modification. The installation qualifies as a de minimis increase under 25 Pa. Code Section 127.449. The approved de minimis emission increases for the Title V facility for 2004 are as follows:

- a) Total VOC—0.0071 tons per year
- b) Total HAPs—0.007 tons per year

The permit, when reissued will include the previous de minimis emission increases including monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### *Coal Permits Actions*

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

**03990110 and NPDES Permit No. PA0202720. Milestone Crushed, Inc.** (521 South Street, Clarion, PA 16214). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Redbank Township, **Armstrong County**, affecting 81.9 acres. Receiving streams: unnamed tributaries to Redbank Creek and to Redbank Creek. Application received: November 18, 2004. Reclamation only renewal issued: January 11, 2005.

**63990103 and NPDES Permit No. PA0202614. David Breeden Enterprises, Inc.** (P. O. Box 89, Tarentum, PA 15084-0089). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Somerset Township, **Washington County**, affecting 287.1 acres. Receiving streams: unnamed tributaries to Center Branch of Pigeon Creek to the Center Branch of Pigeon Creek to Pigeon Creek. Application received: November 18, 2004. Reclamation only renewal issued: January 12, 2005.

**65810113 and NPDES Permit No. PA0615668. M. B. Energy** (175 McKnight Road, Blairsville, PA 15717-7960). NPDES renewal issued for continued treatment of discharges at a bituminous surface mining site located in Cook and Donegal Townships, **Westmoreland County**, affecting 103.8 acres. Receiving streams: unnamed tributary to Four Mile Run to Loyalhanna Creek. Application

received: October 21, 2004. NPDES Renewal issued: December 22, 2004. This notice is being resubmitted to show the correct mailing address of the permittee.

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

**24020104 and NPDES Permit No. PA0242268. Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838) Revision to an existing bituminous strip operation to add auger mining in Fox Township, **Elk County**. Receiving streams: UNT to Little Toby Creek and Little Toby Creek. Application received: September 8, 2004. Permit Issued: January 4, 2005.

**37840104 and NPDES Permit No. PA0108324. Ambrosia Coal and Construction Co.** (R. R. 1, Box 422, Ebensburg, PA 16116) Renewal of an existing bituminous strip, auger and tippel refuse disposal in North Beaver Township, **Lawrence County** affecting 400.0 acres. This renewal is issued for reclamation only. Receiving streams: Three unnamed tributaries to Hickory Run. Application received: September 23, 2004. Permit Issued: January 5, 2005.

**16910104 and NPDES Permit No. PA0208426. TDK Coal Sales, Inc.** (P. O. Box 259, Brockway, PA 15824) Renewal of an existing bituminous strip, auger and coal ash placement operation in Madison Township, **Clarion County** affecting 304.3 acres. This renewal is issued for reclamation only. Receiving streams: UNT to Catfish Run, unnamed tributary to the Allegheny River. Application received: November 12, 2004. Permit Issued: January 4, 2005.

**33030106 and NPDES Permit No. PA0242373. Falls Creek Energy Co., Inc.** (R. D. 6, Box 231, Kittanning, PA 16201) Commencement, operation and restoration of a bituminous strip and auger operation in Porter Township, **Jefferson County** affecting 163.5 acres. Receiving streams: Pine Run. Application received: May 7, 2003. Permit Issued: January 7, 2005.

**61040102 and NPDES Permit No. PA0242560. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16121) Commencement, operation and restoration of a bituminous strip operation in Irwin Township, **Venango County** affecting 58.0 acres. Receiving streams: UNTs to Scrubgrass Creek. Application received: August 24, 2004. Permit Issued: January 10, 2005.

### *Noncoal Permits Actions*

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

**26042802. Mon River Energy Corporation** (P. O. Box 466, Brier Hill, PA 15415). Permit issued for commencement, operation, and reclamation of a small noncoal surface mining site located in Redstone and Menallen Townships, **Fayette County**, affecting 10 acres. Receiving streams: Saltlick Run to Dunlap Creek. Application received: July 28, 2004. Permit issued: January 12, 2005.

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

**10010309 and NPDES Permit No. PA0241938. Annandale Sandstone** (219 Goff Station Road, Boyers, PA 16020) Revision to an existing sandstone operation to add 1.6 acres in Venango Township, **Butler County**. Total acreage is now 17.6 acres. Receiving streams: UNT to Seaton Creek and Seaton Creek. Application received: June 24, 2004. Permit Issued: January 3, 2005.

**6854-10010309-E-1. Annandale Sandstone** (219 Goff Station Road, Boyers, PA 16020) Revision to add a stream



encroachment to conduct mining activities within 100 feet of unnamed tributary "A" to Seaton Creek in Venango Township, **Butler County**. Receiving streams: UNTs to Seaton Creek and Seaton Creek. Application received: June 24, 2004. Permit Issued: January 3, 2005.

**10950103. Big "B" Mining Company** (153 Beaver Dam Road, Butler, PA 16001-0137) Renewal of NPDES Permit No. PA0226891 in Clay Township, **Butler County** affecting 19.9 acres. Receiving streams: UNT to Stony Run. Application received: November 17, 2004. Permit Issued: January 4, 2005.

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

**64030301 and NPDES Permit No. PA0224332. Middle Creek Quarry, Inc.** (R. R. 2 Box 361, Hawley, PA 18428), commencement, operation and restoration of a quarry operation and discharge of treated mine drainage in Palmyra Township, **Wayne County** affecting 94.3 acres, receiving stream: Middle Creek. Application received August 4, 2003. Permit issued January 10, 2005.

**58040855. John A. Castrogiovanni** (R. R. 7 Box 7470, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: unnamed tributary to Meshoppen Creek. Application received August 20, 2004. Permit issued January 13, 2005.

**58040865. Shawn Aukema** (R. R. 1 Box 1366, Friendsville, PA 18818), commencement, operation and restoration of a bluestone quarry operation in Silver Lake Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: unnamed tributary to Choconut Creek. Application received October 25, 2004. Permit issued January 13, 2005.

**58040861. David Depew** (115 Westwood Drive, Midland, PA 15059), commencement, operation and restoration of a bluestone quarry operation in Lenox Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: unnamed tributary to Tunkhannock Creek. Application received October 22, 2004. Permit issued January 13, 2005.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

#### *Blasting Permits Actions*

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

**24054001. Fox Township Supervisors** (P. O. Box 184, Kersey, PA 15846). Blasting activity permit to refurbish township roads in Fox Township, **Elk County** for 200 days. Application received: January 12, 2005. Application issued: January 13, 2005.

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

**08044003. Great Lakes Geophysical, Inc.** (P. O. Box 127, Williamsburg, MI 49690) for exploration, located in Wells Township, **Bradford County**, with an extended duration of 43 days. Permit originally issued: December 20, 2004. Revised expiration date: February 5, 2005.

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

**15044048. Schlouch, Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Coventry Glen Housing in East Coventry Township, **Chester County**, with an expiration date of January 20, 2006. Permit issued January 11, 2005.

**67044059. ABEL Construction Co. (Inc.,** 3925 Columbia Avenue, Mountville, PA 17554), construction blasting at Rosebrook II in Windsor Township, **York County**, with an expiration date of August 31, 2005. Permit issued January 11, 2005.

**67044058. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting at Blossom Hill Development in York Township, **York County**, with an expiration date of December 31, 2005. Permit issued January 11, 2005.

**15044049. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting at Winfield-Devon Subdivision in Easttown Township, **Chester County**, with an expiration date of January 27, 2006. Permit issued January 11, 2005.

**54044011. Mazzuca Enterprises, Inc.** (14th Street & Laurel Boulevard, Pottsville, PA 17901), construction blasting for the Schuylkill Valley Sewer Authority sanitary sewage collection system in Brockton, Mary-D and Tuscarora, Blythe and Schuylkill Townships, **Schuylkill County** with an expiration date of December 31, 2005. Permit issued January 11, 2005.

**46044043. Eastern Blasting Company, Inc.** (1292 Street Road, New Hope, PA 18938), construction blasting for the Maplewood Housing Project on Route 152, Horsham Township, **Montgomery County** with an expiration date of January 20, 2006. Permit issued January 11, 2005.

**48044044. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for Bashley Homes on Buttermilk Road in Williams Township, **Northampton County** with an expiration date of June 30, 2005. Permit issued January 11, 2005.

**09044045. N. Abbonizio Contr., Inc.** (1250 Conshohocken Road, Conshohocken, PA 19428) and Bernard J. Hasara (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting for sanitary sewer installation at Portzer Road and Old Bethlehem Pike in Milford and Richland Townships, **Bucks County** with an expiration date of May 15, 2005. Permit issued January 11, 2005.

**39044021. Labrador Construction Co., Inc.** (P. O. Box 1379, Marshalls Creek, PA 18335) and Austin Powder (559 Nor-Bath Blvd., Northampton, PA 18067), construction blasting at Jaindl Farm in Upper Macungie Township, **Lehigh County** with an expiration date of December 30, 2005. Permit issued January 11, 2005.

**23044012. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting at Linton Farms in Bethel Township, **Delaware County** with an expiration date of January 27, 2006. Permit issued January 11, 2005.

**48044045. Joao & Bradley Construction** (P. O. Box 20345, Lehigh Valley, PA 18002) and AJT Blasting LLC (P. O. Box 20412, Bethlehem, PA 18002), construction blasting at New Street Sewer Replacement in Nazareth Borough, **Northampton County** with an expiration date of June 30, 2005. Permit issued January 11, 2005.



**46044044. Labrador Construction Co., Inc.** (P. O. Box 1379, Marshalls Creek, PA 18335) and Austin Powder (559 Nor-Bath Blvd., Northampton, PA 18067), construction blasting at Amberlee in Whippain Township, **Montgomery County** with an expiration date of October 1, 2005. Permit issued January 11, 2005.

**01054101. Brubacher Excavating, Inc.** (825 Reading Road, Bowmansville, PA 17507), construction blasting for Wormold Development in Mt. Joy Township, **Adams County** with an expiration date December 31, 2005. Permit issued January 11, 2005.

**67054101. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Chestnut Valley Phase III in East Manchester Township, **York County** with an expiration date of January 30, 2006. Permit issued January 11, 2005.

**46054001. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting at Traditions of Harleysville in Lower Salford Township, **Montgomery County**, with an expiration date of January 6, 2006. Permit issued January 11, 2005.

**46044045. Joao & Bradley Construction** (P. O. Box 20345, Lehigh Valley, PA 18002) and AJT Blasting LLC (P. O. Box 20412, Bethlehem, PA 18002), construction blasting at Sanitary Sewer—Hallowell in Horsham Township, **Montgomery County** with an expiration date of July 30, 2005. Permit issued January 11, 2005.

**48054001. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335) and Austin Powder (559 Nor-Bath Boulevard, Northampton, PA 18067), construction blasting at Steeplechase in Forks Township, **Northampton County** with an expiration date of October 1, 2005. Permit issued January 11, 2005.

**67044060. Springfield Contractors, Inc.** (290 Seaks Run Road, Glen Rock, PA 17327), construction blasting at Roth Farm Village in Jackson Township, **York County** with an expiration date of December 31, 2005. Permit issued January 11, 2005.

**36054001. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17057), construction blasting at Willow Bends Farms in West Lampeter Township, **Lancaster County** with an expiration date of January 31, 2006. Permit issued January 11, 2005.

## 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.

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**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).**

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

### WATER OBSTRUCTIONS & ENCROACHMENTS

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

**E22-480. PennDOT District 8-0**, 2140 Herr Street, Harrisburg, PA 17103 in Jackson Township, **Dauphin County**, ACOE Baltimore District

To remove the existing bridge and then to construct and maintain a single-span bridge with a clear span of 34.5 feet with a minimum average underclearance of 6.0 feet across Armstrong Creek (CWF) on SR 1004, Section 004, Segment 0030, Offset 0000, located about 2.8 miles southwest of Elizabethville Borough (Elizabethville, PA Quadrangle N: 1.6 inches; W: 10.8 inches) in Jackson Township, Dauphin County.

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

**E18-377. Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street Extension, P. O. Box 342, Clearfield, PA 16830. State Route 0120, Section A01, Structure Replacement over Shintown Run, in Noyes Township, **Clinton County**, ACOE Baltimore District (Renovo-West, PA Quadrangle N: 10.5 inches; W: 7.10 inches).

To remove the existing bridge and to construct and maintain: 1) a reinforced concrete box culvert with a waterway opening of 230 square feet, a normal clear span of 20 feet and a minimum effective underclearance of 11 feet and with the culvert bottom set 1 foot below the streambed and alternating baffles on the culvert floor; 2) a temporary roadway of one (1) 108-inch diameter pipe (minimum hydraulic opening of 58 SF) and clean fill located 20 feet downstream of the existing bridge; 3) a 90-foot long by 10-foot wide earthen/sandbag ditch tempo-

rary by-pass around the bridge site, located 800 feet west of the State Route 0120 and T-313 (Shintown Road) intersection.

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

**E65-807 A1. Department of Transportation**, P. O. Box 429, Indiana, PA 15701. To construct a four span bridge in Fairfield Township, **Westmoreland County** and West Wheatfield Township, Indiana County, Pittsburgh ACOE District. (Bolivar, PA Quadrangle N: 4.25 inches; W: 2.2 inches and Latitude: 40° 23' 54"—Longitude: 79° 08' 27"). To (work authorized as stated on permit) remove the existing structure and to construct and maintain a four-span bridge having four normal spans of 31.69 meters and a minimum underclearance of 9.83 meters across the Conemaugh River (WWF) on a new alignment located approximately 360 meters upstream from the existing bridge for the purpose of improving transportation safety and roadway standards. The permit also authorizes the placement and maintenance of temporary and permanent embankment fill along the left bank of the Conemaugh River (WWF), the construction and maintenance of two temporary causeways and coffer dams in the Conemaugh River (WWF), and the placement and maintenance of fill in 0.82 acres of palustrine emergent/forested wetland. The project is located on SR0259, Section 450. To compensate for wetland impacts, the Permittee made a monetary contribution to the Pennsylvania Wetland Replacement Project.

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

**E25-691, North East Township Supervisors**, 10300 West Main Road, Box 249 North East, PA 16428. Oxbow Road (T-765) Bridge Replacement Project, in Northeast Township, **Erie County**, ACOE Pittsburgh District (Northeast, PA Quadrangle N: 12.0 inches; W: 6.2 inches).

The applicant proposes to remove the existing structure and to construct and maintain an 80-foot long, 14.9-foot wide by 10.2-foot high CMP pipe arch culvert in an unnamed tributary to Sixteenmile Creek on T-765 (Oxbow Road) approximately 1 mile S of SR 426 (downstream of Grahamville Reservoir). The structure has already been installed under emergency permit EP2504602. Sixteenmile Creek is a perennial stream classified as a cold water fishery and a migratory fishery. The project directly impacted approximately 100 lineal feet of stream.

**E25-692, North East Township Supervisors**, 10300 West Main Road, Box 249, North East, PA 16428. West Law Road Bridge Replacement Project, in Northeast Township, **Erie County**, ACOE Pittsburgh District (North East, PA Quadrangle N: 11.3 inches; W: 16.5 inches).

The applicant proposes to remove the existing structure and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear span of 38.5 feet and an underclearance of 11.5 feet across Twelvemile Creek approximately 500 feet northeast of the intersection of T-743 (West Law Road Bridge) and Williams Road. Project includes riprap protection of the abutments. Twelvemile Creek is a perennial stream classified as a high quality cold water fishery and a migratory fishery. The project proposes to directly affect a total of approximately 100 linear feet of stream channel.

**E61-272, Frenchcreek Township Supervisors**, 4505 Georgetown Road, Franklin, PA 16323. Whippoorwill Road Bridge, in Frenchcreek Township, **Venango County**, ACOE Pittsburgh District (Utica, PA Quadrangle N: 2.1 inches; W: 10.0 inches).

The applicant proposes to remove the existing structure and to construct and maintain a single span, prestressed concrete adjacent box beam structure having a clear span of 48 feet and an underclearance of 8.8 feet on a 77° skew on Whippoorwill Road across Little Sandy Creekapproximately 0.3 miles NW of the intersection of Whippoorwill Road and SR 3024 Savannah Valley Road.

**STORAGE TANKS**

**SITE-SPECIFIC INSTALLATION PERMITS**

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.**

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
05-51-013	Philadelphia Water Dept. 1101 Aramark Tower Philadelphia, PA 19107-2994 Attn: Steven Furtek P. E.	Philadelphia	City of Philadelphia	4 ASTs storing Sodium Hypochlorite	200,000 gallons total capacity
05-61-002	Heath Oil, Inc. P. O. Box 1128 Oil City, PA 16301 Attn: Richard H. Fisher	Venango	Borough of Barkeyville	1 AST storing gasoline	295,200 gallons total capacity

[Pa.B. Doc. No. 05-199. Filed for public inspection January 28, 2005, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Newborn Metabolic Screening Technical Advisory Committee Meeting

The Newborn Metabolic Screening and Follow-Up Program, established under the Newborn Child Testing Act (35 P.S. §§ 621—625), is scheduled to hold a public meeting on Wednesday, February 23, 2005, from 9 a.m. to 3 p.m. at the Southcentral District Office, Department of Health, 30 Kline Plaza, Harrisburg, PA.

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

For additional information, contact Karen Espenshade, Director, Division of Newborn Disease Prevention and Identification at (717) 783-8143. R.S.V.P. by February 16, 2005, to Rose Butchko at (717) 783-8143. Persons with a disability who require an alternative format of this notice or wish an application in alternative formats should contact Karen Espenshade at the previously listed phone number or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 634-5984 (TT).

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

[Pa.B. Doc. No. 05-200. Filed for public inspection January 28, 2005, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Annual Record Access Fee for School Bus Contractors

The Department of Transportation (Department), Bureau of Driver Licensing, under the authority contained in 75 Pa.C.S. § 1902 (relating to exemptions from other fees) gives notice that the annual record access fee for employers of school bus drivers who obtain driver record information electronically from the Department is \$200. In addition, any Federal or State transportation association of school bus operators may also obtain driver record information electronically from the Department. The association must pay an initial record access fee of \$200 and an annual fee determined by the number of drivers whose records will be accessed. The association will provide the Department an estimate of the number of drivers employed by their members interested in obtaining driver records through the association and pay an annual fee based on \$5 per estimated driver.

Questions, comments or suggestions should be directed to Diana Henning, Manager of Judicial and Information Services, ROC, 3rd Floor, 1101 S. Front Street, Harrisburg, PA 17104, (717) 705-0807.

ALLEN D. BIEHLER, P. E.,  
*Secretary*

[Pa.B. Doc. No. 05-202. Filed for public inspection January 28, 2005, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

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

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Anchor Fire Protection Company, Inc., aka Anchor Fire Protection Company (Fed. ER. I.D. No. 23-2074559) -and- Theodore C. Wills aka Theodore C. Wills, Jr.	R. D. 1., Reininger Road Perkiomenville, PA 18074 and P. O. Box 49 Frederick, PA 19435	December 29, 2004

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 05-201. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Finding Chester County

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)), the Deputy Secretary for Highway Administration makes the following written finding:

The Department of Transportation (Department) plans to replace the existing Springton Road Bridge over the North Branch of Indian Run in Wallace Township, Chester County. The project includes minor approach roadway work in conjunction with replacing the bridge on approximately the same location. The project will require right-of-way from two historic districts, the Weber/Starret/Fisher/Reed Rural Historic District and the Springton Manor Farm, which is a publicly owned park and a historic district.

Features such as form-lined concrete to provide a faux stone finish on wingwalls and headwalls and weathered guide rail will be incorporated into the structure design to minimize the visual impacts of the project on the historic districts.

The Deputy Secretary for Highway Administration has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize effects.

No adverse environmental effect is likely to result from the replacement of the Springton Road Bridge.

GARY L. HOFFMAN, P. E.,  
*Deputy Secretary for Highway Administration*

[Pa.B. Doc. No. 05-203. Filed for public inspection January 28, 2005, 9:00 a.m.]

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### Finding Susquehanna County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Deputy Secretary for Highway Administration makes the following written finding:

The Department of Transportation (Department) plans to reconstruct SR 0547, Section 572, Fair Hill Road Bridge over Leslie Creek.

The purpose of this project is to provide a structure meeting current design criteria to carry SR 0547 over Leslie Creek and maintain access to the Village of Harford. The existing structure is structurally deficient and functionally obsolete.

The selected alternative for the Fair Hill Road Bridge replacement over Leslie Creek, Alternative 1—Replacement of Structure on Alignment (Alternative 1), involves replacing the bridge in place. Minor widening would occur on both sides of the bridge.

Alternative 1 requires the use of the bridge over Leslie Creek, a contributing element to the Harford Historic District. The bridge over Leslie Creek would be removed and the proposed replacement structure would require minor permanent right-of-way acquisitions both upstream and downstream. The total permanent right-of-way needed from the Harford Historic District for the proposed structure is approximately 98.57 square meters (1,061 square feet). Alternative 1 will also require temporary construction easements within the historic district for a temporary roadway/stream crossing, erosion control measures and a pedestrian bridge. These easements will total approximately 3,039.6 square meters (32,718 square feet) or .30 hectare (0.751 acre).

These temporary easements meet the criteria for temporary occupancy of Section 2002 resources and are not considered "uses." These easements will be of short duration and will be less than the time needed for construction of the project. The temporary occupancy will not change the ownership or result in the retention or long-term or indefinite interests in the land for transportation purposes. The temporary occupancy will not result in any temporary or permanent adverse changes to the activities, attributes or features which are important to the purposes and functions that qualify the resource for protection under Section 2002. The temporary occupancy will include only a minor amount of land.

An evaluation of possible shifts or design modifications along with Total Avoidance and No-Build alternatives was conducted to minimize impact to the Harford Historic District. These alternatives were analyzed and do not appear to be prudent. Alternatives 2a and 2b utilize the same concept as Alternative 1 except one alternative would include relocating the bridge to the northwest and

the other would relocate to the southeast. Both would require the construction of a severe reverse curve in order to tie back into the existing roadway. These curves would adversely affect roadway geometry.

Alternative 1 will impact a contributing element to the Harford Historic District, a Section 2002 resource eligible for listing on the National Register of Historic Places. The undertaking was deemed to have an adverse effect on the Historic District. The effects will be mitigated through commitments detailed in a Memorandum of Agreement between the Army Corps of Engineers and the Pennsylvania State Historic Preservation Officer and concurred with by the Department.

The Deputy Secretary for Highway Administration has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize effects.

GARY L. HOFFMAN, P. E.,  
*Deputy Secretary for Highway Administration*

[Pa.B. Doc. No. 05-204. Filed for public inspection January 28, 2005, 9:00 a.m.]

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## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Rulemaking Petition for Study

On January 18, 2005, the Environmental Quality Board (Board) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by Patrick M. McClure, requests the Board redesignate Fishing Creek in Lancaster County, as identified in 25 Pa. Code § 93.9o (relating to drainage list O), from its present designation of High Quality (HQ)-Cold Water Fishes (CWF) to Exceptional Value Waters (EV).

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters for HQ or EV Waters redesignation before performing survey work. This notice includes a request that interested persons submit to the Department any information concerning the water quality of Fishing Creek in Lancaster County.

The referenced petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 and is accessible on the Department's website at [www.dep.state.pa.us](http://www.dep.state.pa.us), DEP Keyword: EQB (January 18, 2005, meeting).

KATHLEEN A. MCGINTY  
*Chairperson*

[Pa.B. Doc. No. 05-205. Filed for public inspection January 28, 2005, 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 Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. 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>
16-34	State Athletic Commission Communicable Disease Testing 34 Pa.B. 6150 (November 13, 2004)	12/13/04	1/12/05
15-426	Department of Revenue Sales and Use Tax; Prebuilt Housing 34 Pa.B. 6245 (November 20, 2004)	12/20/04	1/19/05

### **State Athletic Commission Regulation # 16-34 (IRRC # 2445)**

#### **Communicable Disease Testing January 12, 2005**

We submit for your consideration the following comment that includes references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The State Athletic Commission (SAC) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on December 13, 2004. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

#### **1. Section 1.1. Definitions.—Consistency with existing regulations.**

The definition of “communicable disease” includes the phrase “such as Hepatitis.” To be consistent with the Department of Health definition of “communicable disease” located at 28 Pa. Code Section 27.1, this phrase should be deleted.

#### **2. Section 21.8. Boxers.—Clarity.**

Subsection (a) contains new language that states, “and any other communicable disease as defined in Section 1.1 (relating to definitions).” However, the definition of “Communicable disease” in Section 1.1 does not list specific communicable diseases. The SAC has indicated that it would currently require testing only for Human Immunodeficiency Virus (HIV) and Hepatitis C. The HIV requirements are set forth in existing language in this section. For consistency, the requirements for the Hepatitis testing should be included in this section and deleted from the definition, as recommended previously.

### **Department of Revenue Regulation # 15-426 (IRRC # 2446)**

#### **Sales and Use Tax; Prebuilt Housing January 19, 2005**

We submit for your consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Department of Revenue (Department) must respond to these comments when it submits the

final-form regulation. The public comment period for this regulation closed on December 20, 2004. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

#### **1. Subsection 31.33(a) Definitions.—Consistency with statute; Clarity.**

The definitions of the following terms in the regulation vary from the statutory definitions of the terms in 72 P. S. § 7201:

- Prebuilt housing
- Prebuilt housing builder
- Prebuilt housing purchaser
- Prebuilt housing sale
- Purchase price
- Used prebuilt housing

The Department should revise the definitions to mirror the statutory definitions, replace the regulatory definitions with citations to the statute, or explain the need to vary from the statute.

#### **2. Subsection 31.33(c) Prebuilt housing manufacturer's election to collect tax.—Reasonableness; Need; Feasibility.**

##### *Paragraph (2)*

Under 72 P. S. § 7201(g)(8) in the definition of “purchase price,” a manufacturer who precollects tax “shall have the option to collect tax on sixty percent of the selling price or one hundred percent of the actual cost of the supplies and materials used in the manufacture of the prebuilt housing.” Paragraph (2) of the regulation precludes this option for manufacturers who also act as builders. Under the regulation, they can only use a purchase price of 60% of the manufacturer’s selling price. The Department should explain the rationale for and need to restrict the method to collect tax under this circumstance.

##### *Paragraph (3)*

This paragraph states, “A prebuilt housing manufacturer is not permitted to alternate between these two methods of calculation without prior authorization from the Department.” The Department should explain the

need for Department authorization. If prior authorization is necessary, the regulation should state how a manufacturer would request prior authorization and what criteria the manufacturer would have to satisfy.

### 3. Miscellaneous Clarity Issues

a) In Subsection 31.33(a), the definition of "prebuilt housing manufacturer" lacks clarity because the definition uses the same words as the term being defined.

b) The opening sentence of Paragraph 31.33(c)(1) uses the phrase "the law" twice. These general references should be replaced with citations to the applicable portions of the law.

c) The opening sentence of Subsection 31.33(e) discusses the changes in the law. This sentence is not needed.

d) Subsections 31.33(e) and (f) state certain items are "governed by § 31.11." Since Section 31.11 is a definitions section, a broader cross reference should be used to all provisions that govern the items outlined in Subsections (e) and (f) respectively.

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 05-206. Filed for public inspection January 28, 2005, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Eligible Surplus Lines Insurer List

Under section 1605(b) of The Insurance Company Law of 1921 (40 P.S. § 991.1605(b)), the Insurance Department publishes the most recent Eligible Surplus Lines Insurer List. This list replaces in its entirety the Eligible Surplus Lines Insurer List as of July 26, 2004, published at 34 Pa.B. 4333 (August 7, 2004).

Persons who have questions concerning this notice should contact Robert Brackbill, Chief, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

*As of Thursday, January 13, 2005*

Key No.	Company Name	Statutory Home Address
48123	ACE EUROPEAN GROUP LIMITED	100 LEADENHALL STREET LONDON, GB EC3A 3BP
10512	ADMIRAL INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10513	ADRIATIC INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
39908	ALEA LONDON LIMITED	THE CORN EXCHANGE 55 MARK LANE LONDON, GB EC3R7NE
40659	ALEA NORTH AMERICA SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
48099	ALLIANZ MARINE & AVIATION VERSICHERUNG AG	GROBER BURSTAH 3 HAMBURG, GE D-20457
10516	ALLIANZ UNDERWRITERS INSURANCE COMPANY	2350 EMPIRE AVENUE BURBANK, CA 91504
10535	ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
10519	AMERICAN EMPIRE SURPLUS LINES INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10520	AMERICAN EQUITY INSURANCE COMPANY	2401 WEST PEORIA AVENUE PHOENIX, AZ 85029
36855	AMERICAN HEALTHCARE SPECIALTY INSURANCE COMPANY	425 W. CAPITOL AVENUE SUITE 1800 LITTLE ROCK, AR 72201
10521	AMERICAN INTERNATIONAL SPECIALTY LINES INSURANCE COMPANY	1400 WEST BENSON BOULEVARD SUITE 315 ANCHORAGE, AK 99503
18146	AMERICAN SAFETY INDEMNITY COMPANY	600 BANK OF OKLAHOMA PLAZA 201 ROBERT S. KERR AVENUE OKLAHOMA CITY, OK 73102
10522	AMERICAN WESTERN HOME INSURANCE COMPANY	600 FIDELITY PLAZA OKLAHOMA CITY, OK 73102
10524	APPALACHIAN INSURANCE COMPANY	1301 ATWOOD AVENUE JOHNSTON, RI 02919

<b>Key No.</b>	<b>Company Name</b>	<b>Statutory Home Address</b>
33748	ARCH EXCESS & SURPLUS INSURANCE COMPANY	10306 REGENCY PARKWAY DRIVE OMAHA, NE 68113
10587	ARCH SPECIALTY INSURANCE COMPANY	300 FIRST STAMFORD PLACE STAMFORD, CT 06902
35611	ASPEN SPECIALTY INSURANCE COMPANY	316 NORTH FIFTH STREET BISMARCK, ND 58502
22348	ASSICURAZIONI GENERALI DI TRIESTE	PIAZZA DUCA DEGLI ABRUZZI, 2 TRIESTE, IT 34132
22349	ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED	LIBERTY INTERNATIONAL 73 FRONT STREET, 3RD FLOOR HAMILTON, BE HM11
10525	ASSOCIATED INTERNATIONAL INSURANCE COMPANY	TEN PARKWAY NORTH DEERFIELD, IL 60015
41586	ATLANTIC CASUALTY INSURANCE COMPANY	400 COMMERCE COURT GOLDSBORO, NC 27534
10526	AUDUBON INDEMNITY COMPANY	C/O CORPORATION SERVICE COMPANY 506 SOUTH PRESIDENT STREET JACKSON, MS 39201
41562	AXA CORPORATE SOLUTIONS ASSURANCE	4 RUE JULES LEFEBVRE PARIS, FR 75009
10536	AXIS SPECIALTY INSURANCE COMPANY	628 HEBRON AVENUE BUILDING TWO, SUITE 200 GLASTONBURY, CT 06033
10592	AXIS SURPLUS INSURANCE COMPANY	303 WEST MADISON SUITE 500 CHICAGO, IL 60606
22369	BRITISH AVIATION INSURANCE COMPANY LIMITED	FITZWILLIAM HOUSE 10 ST. MARY'S AXE LONDON, GB EC3ABEQ
10528	CANAL INDEMNITY COMPANY	400 EAST STONE AVENUE GREENVILLE, SC 29601
48319	CAPITOL SPECIALTY INSURANCE CORPORATION	4610 UNIVERSITY AVENUE MADISON, WI 53705
48890	CATLIN INSURANCE COMPANY LTD.	CUMBERLAND HOUSE, 6TH FLOOR 1 VICTORIA STREET HAMILTON, BE HM11
10529	CENTENNIAL CASUALTY COMPANY	2200 WOODCREST PLACE SUITE 200 BIRMINGHAM, AL 35209
10531	CENTURY SURETY COMPANY	465 CLEVELAND AVENUE WESTERVILLE, OH 43082
22371	CGU INTERNATIONAL INSURANCE PLC	ST. HELEN'S 1 UNDERSHAFT LONDON, GB EC3P3DQ
10532	CHUBB CUSTOM INSURANCE COMPANY	32 LOOKERMAN SQUARE DOVER, DE 19901
18617	CLARENDON AMERICA INSURANCE COMPANY	224 WEST STATE STREET TRENTON, NJ 08608
10533	COLONY INSURANCE COMPANY	9201 FOREST HILL AVENUE SUITE 200 RICHMOND, VA 23235
10582	COLONY NATIONAL INSURANCE COMPANY	9201 FOREST HILL AVENUE SUITE 200 RICHMOND, VA 23235
10534	COLUMBIA CASUALTY COMPANY	CNA PLAZA CHICAGO, IL 60685

<b>Key No.</b>	<b>Company Name</b>	<b>Statutory Home Address</b>
22388	COMMONWEALTH INSURANCE COMPANY	595 BURRARD STREET, SUITE 1500 BOX 49115 BENTALL TOWER THREE VANCOUVER, V7X 1
37372	CRUM & FORSTER SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018
37001	DISCOVER SPECIALTY INSURANCE COMPANY	500 WEST MADISON SUITE 2600 CHICAGO, IL 60661
10541	EMPIRE INDEMNITY INSURANCE COMPANY	809 NORTHWEST 36TH STREET OKLAHOMA CITY, OK 73118
10542	ESSEX INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10543	EVANSTON INSURANCE COMPANY	TEN PARKWAY NORTH DEERFIELD, IL 60015
10544	EVEREST INDEMNITY INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10545	EXECUTIVE RISK SPECIALTY INSURANCE COMPANY	82 HOPMEADOW STREET SIMSBURY, CT 06070
10547	FIREMAN'S FUND INSURANCE COMPANY OF OHIO	312 WALNUT STREET SUITE 1100 CINCINNATI, OH 45202
10548	FIRST FINANCIAL INSURANCE COMPANY	528 SOUTH FIFTH STREET SUITE 210 SPRINGFIELD, IL 62701
10549	FIRST MERCURY INSURANCE COMPANY	ONE SOUTH WACKER DRIVE SUITE 2740 CHICAGO, IL 60606
10550	FIRST SPECIALTY INSURANCE CORPORATION	237 EAST HIGH STREET JEFFERSON CITY, MO 65102
18477	GEMINI INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10553	GENERAL AGENTS INSURANCE COMPANY OF AMERICA, INC.	115 SOUTHWEST 89TH STREET OKLAHOMA CITY, OK 73139
10552	GENERAL SECURITY INDEMNITY COMPANY OF ARIZONA	3225 NORTH CENTRAL AVENUE PHOENIX, AZ 20559
10554	GENERAL STAR INDEMNITY COMPANY	695 EAST MAIN STREET P. O. BOX 10354 STAMFORD, CT 06904
22411	GENERALI ASSURANCES IARD	7 BOULEVARD HAUSSMAN PARIS, FR 75009
10555	GENESIS INDEMNITY INSURANCE COMPANY	316 NORTH FIFTH STREET BISMARCK, ND 58501
44715	GLENCOE INSURANCE LIMITED	RENAISSANCE HOUSE, 8 EAST PO BOX HM 2527 HAMILTON, BE HM GX
10556	GOTHAM INSURANCE COMPANY	919 THIRD AVENUE 10TH FLOOR NEW YORK, NY 10022
10514	GREAT AMERICAN E & S INSURANCE COMPANY	THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10518	GREAT AMERICAN FIDELITY INSURANCE COMPANY	THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801



<b>Key No.</b>	<b>Company Name</b>	<b>Statutory Home Address</b>
10540	GREAT AMERICAN PROTECTION INSURANCE COMPANY	580 WALNUT STREET CINCINNATI, OH 45204
22412	GREAT LAKES REINSURANCE (UK) PLC	UPPER GROUND FLOOR, 1 MINSTER MINCING LANE LONDON, GB EC3R7AA
36489	GUILFORD INSURANCE COMPANY	528 SOUTH FIFTH STREET SUITE 210 SPRINGFIELD , IL 62701
10557	GULF UNDERWRITERS INSURANCE COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
44169	HOMELAND INSURANCE COMPANY OF NEW YORK	201 OLD COUNTRY ROAD MELVILLE, NY 11747
10559	HOUSTON CASUALTY COMPANY	13403 NORTHWEST FREEWAY HOUSTON, TX 77040
37373	HUDSON SPECIALTY INSURANCE COMPANY	17 STATE STREET 29TH FLOOR NEW YORK, NY 10004
45559	IF P & C INSURANCE LIMITED	S-108 60 STOCKHOLM, SW
10560	ILLINOIS EMCASCO INSURANCE COMPANY	717 MULBERRY STREET DES MOINES, IA 50309
10561	ILLINOIS UNION INSURANCE COMPANY	525 WEST MONROE STREET CHICAGO, IL 60631
22413	INDEMNITY MARINE ASSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, GB EC3P3DQ
10562	INDIAN HARBOR INSURANCE COMPANY	316 NORTH 5TH STREET 6TH FLOOR BISMARCK, ND 58501
10563	INEX INSURANCE EXCHANGE	1 SOUTH WACKER DRIVE SUITE 2720 CHICAGO, IL 60606
45736	INTEGON SPECIALTY INSURANCE COMPANY	500 WEST FIFTH STREET WINSTON-SALEM, NC 27152
28076	INTERNATIONAL INSURANCE CO OF HANNOVER, LTD	HANNOVER HOUSE VIRGINIA WATER SURREY, GB GU254AA
10564	INTERSTATE FIRE & CASUALTY COMPANY	33 WEST MONROE CHICAGO, IL 60603
10566	ITT PACIFIC INSURANCE COMPANY	HARTFORD PLAZA HARTFORD, CT 06115
10546	JAMES RIVER INSURANCE COMPANY	52 EAST GAY STREET COLUMBUS, OH 43215
8967	LANDMARK AMERICAN INSURANCE COMPANY	115 S.W. 89TH STREET OKLAHOMA CITY, OK 73139
10567	LANDMARK INSURANCE COMPANY	777 SOUTH FIGUEROA STREET LOS ANGELES, CA 90017
45576	LANTANA INSURANCE LTD.	RENAISSANCE HOUSE 8-12 EAST BROADWAY HAMILTON, BE HM 19
10569	LEXINGTON INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
22415	LIBERTY MUTUAL INSURANCE EUROPE LIMITED	4TH FLOOR, ONE MINSTER COURT MINCING LANE LONDON, GB EC3R7AA
18457	LIBERTY SURPLUS INSURANCE CORPORATION	175 BERKELEY STREET BOSTON, MA 02117

<b>Key No.</b>	<b>Company Name</b>	<b>Statutory Home Address</b>
22416	LLOYD'S (UNDERWRITERS AT)	ONE LIME STREET LONDON, GB EC3M7HA
22417	LONDON AND EDINBURGH INSURANCE COMPANY LIMITED	8 SURREY STREET NORWICH NR1 3NG ENGLAND, GB EC3M5BT
22418	MARINE INSURANCE COMPANY LIMITED	ST MARKS COURT. CHART WAY HORSHAM, WEST SUSSEX ENGLAND, GB RH 12 1XL
22455	MARKEL INTERNATIONAL INSURANCE COMPANY LIMITED	THE MARKEL BUILDING 49 LEADENHALL STREET LONDON, GB EC3A2EA
10527	MAXUM INDEMNITY COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10570	MONTICELLO INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10571	MT. HAWLEY INSURANCE COMPANY	9025 N. LINDBERGH DRIVE PEORIA, IL 61615
10572	NAMIC INSURANCE COMPANY, INC.	3601 VINCENNES ROAD INDIANAPOLIS, IN 46268
10573	NATIONAL FIRE & MARINE INSURANCE COMPANY	3024 HARNEY STREET OMAHA, NE 68131
10574	NAUTILUS INSURANCE COMPANY	7273 EAST BUTHERUS DRIVE SCOTTSDALE, AZ 85260
10575	NIC INSURANCE COMPANY	ONE PENN PLAZA 55TH FLOOR NEW YORK, NY 10119
10537	NOETIC SPECIALTY INSURANCE COMPANY	115 SOUTH LASALLE STREET CHICAGO, IL 60603
10576	NORTH AMERICAN CAPACITY INSURANCE COMPANY	650 ELM STREET MANCHESTER, NH 03101
22420	NORTHERN ASSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, GB EC3P3DQ
10577	NORTHFIELD INSURANCE COMPANY	1270 OFFICE PLAZA DRIVE WEST DES MOINES, IA 50266
10578	NUTMEG INSURANCE COMPANY	HARTFORD PLAZA HARTFORD, CT 06115
22421	OCEAN MARINE INSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, GB EC3P3DQ
10579	OLD REPUBLIC UNION INSURANCE COMPANY	307 NORTH MICHIGAN AVENUE CHICAGO, IL 60601
10580	PACIFIC INSURANCE COMPANY	C/O CT CORPORATION 818 WEST 7TH STREET LOS ANGELES, CA 90017
23150	PRINCETON EXCESS AND SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
10583	PROFESSIONAL UNDERWRITERS LIABILITY INSURANCE COMPANY	50 WEST BROADWAY SALT LAKE CITY, UT 84101
22449	QBE INTERNATIONAL INSURANCE LIMITED	CORN EXCHANGE MARK LANE LONDON, GB EC3R7NE
47448	QBE SPECIALTY INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
53074	QUANTA SPECIALTY LINES INSURANCE COMPANY	3500 DEPAUW BOULEVARD SUITE 3050 INDIANAPOLIS, IN 46268

<b>Key No.</b>	<b>Company Name</b>	<b>Statutory Home Address</b>
44436	RED MOUNTAIN CASUALTY INSURANCE COMPANY, INC.	100 BROOKWOOD PLACE SUITE 500 BIRMINGHAM, AL 35209
10588	ROYAL SURPLUS LINES INSURANCE COMPANY	9 FARM SPRINGS ROAD FARMINGTON, CT 06032
10589	SAFECO SURPLUS LINES INSURANCE COMPANY	SAFECO PLAZA SEATTLE, WA 98185
10590	SAVERS PROPERTY AND CASUALTY INSURANCE COMPANY	700 WEST 47TH STREET KANSAS CITY, MO 64112
10591	SCOTTSDALE INSURANCE COMPANY	ONE NATIONWIDE PLAZA COLUMBUS, OH 43215
44276	SENECA SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018
33514	SIRIUS INTERNATIONAL INSURANCE CORPORATION	BIRGER JARISGATAN 57B STOCKHOLM, SW SE 113 96
10565	SPECIALTY SURPLUS INSURANCE COMPANY	1 KEMPER DRIVE LONG GROVE, IL 60049
22453	SR INTERNATIONAL BUSINESS INSURANCE COMPANY LIMITED	30 ST. MARY AXE LONDON, GB EC3A8EP
10593	ST. PAUL SURPLUS LINES INSURANCE COMPANY	32 LOOCKERMAN SQUARE Suite L-100 DOVER, DE 19901
38980	STARR EXCESS LIABILITY INSURANCE COMPANY, LTD.	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
10594	STEADFAST INSURANCE COMPANY	SUITE 202 32 LOOCKERMAN SQUARE DOVER, DE 19901
10595	STONEWALL INSURANCE COMPANY	C/O CT CORPORATE SYSTEM 441 VINE STREET CINNCINNATI, OH 45202
54486	THROUGH TRANSPORT MUTUAL INSURANCE ASSOCIATION (EURASIA)	INTERNATIONAL HOUSE CREECHURCH LANE LONDON, GB EC3A 5BA
22456	THROUGH TRANSPORT MUTUAL INSURANCE ASSOCIATION LIMITED	WINDSOR PLACE, QUEEN STREET P. O. BOX HM655 HAMILTON, BE HMCX
10596	TIG SPECIALTY INSURANCE COMPANY	777 ARNOLD DRIVE SUITE 200 MARTINEZ, CA 94553
10597	TRAVELERS EXCESS AND SURPLUS LINES COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
10598	TUDOR INSURANCE COMPANY	91 COURT STREET KEENE, NH 03431
10599	U. S. UNDERWRITERS INSURANCE COMPANY	316 NORTH FIFTH STREET SIXTH FLOOR BISMARCK, ND 58501
10600	ULICO INDEMNITY COMPANY	320 WEST CAPITAL STREET SUITE 1000 LITTLE ROCK, AR 72201
10603	UNITED COASTAL INSURANCE COMPANY	40 NORTH CENTRAL AVENUE PHOENIX, AZ 85004
44120	UNITED NATIONAL CASUALTY INSURANCE COMPANY	5253 HOHMAN AVENUE PO BOX 1150 HAMMOND, IN 46320

Key No.	Company Name	Statutory Home Address
10558	UNITED NATIONAL SPECIALTY INSURANCE COMPANY	411 EAST WISCONSIN AVENUE SUITE 700 MILWAUKEE, WI 53202
52712	VICTORIA INSURANCE COMPANY	1250 E. COPELAND ROAD ARLINGTON, TX 76011
10605	VOYAGER INDEMNITY INSURANCE COMPANY	260 INTERSTATE NORTH CIRCLE NW ATLANTA, GA 30339
10607	WESTCHESTER SURPLUS LINES INSURANCE COMPANY	500 COLONIAL CENTER PARKWAY SUITE 200 ROSWELL, GA 30076
10608	WESTERN HERITAGE INSURANCE COMPANY	6263 N. SCOTTSDALE ROAD SUITE 240 SCOTTSDALE, AZ 85250
10610	WESTERN WORLD INSURANCE COMPANY	91 COURT STREET KEENE, NH 03431
49219	WILSHIRE INSURANCE COMPANY	702 OBERLIN ROAD RALEIGH, NC 27605
52746	WIND RIVER INSURANCE COMPANY, LTD.	VICTORIA HALL, 11 VICTORIA STREET P. O. BOX HM 1826 HAMILTON, BE HM HX
10604	XL SELECT INSURANCE COMPANY	735 FIRST NATIONAL BUILDING OKLAHOMA CITY, OK 73102
22460	YORKSHIRE INSURANCE COMPANY LIMITED	2 ROUGIER STREET YORK, SL YO90 1UU
10611	ZC SPECIALTY INSURANCE COMPANY	400 WEST 15TH STREET SUITE 710 AUSTIN, TX 78701
22461	ZURICH INTERNATIONAL (BERMUDA) LIMITED	ZURICH CENTRE, 90 PITT'S BAY ROAD P. O. BOX HM 2268 HAMILTON, BE HMJX
22462	ZURICH SPECIALTIES LONDON LIMITED	THE ZURICH BUILDING 90 FENCHURCH STREET LONDON, GB EC3M4JX

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 05-207. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Richard C. Gaibler, D. O.; Prehearing

#### **Appeal of Richard C. Gaibler, D. O. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM05-01-016**

On or before February 23, 2005, the appellant shall file a concise statement setting forth the factual and/or legal basis for his disagreement with MCARE's 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 March 16, 2005, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 1, 2005. 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 March 2, 2005, 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 March 11, 2005.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 05-208. Filed for public inspection January 28, 2005, 9:00 a.m.]

**Michael Richard Grab t/a Grab-A-Cab, Inc.; Prehearing**

**Appeal of Michael Richard Grab t/a Grab-A-Cab, Inc. under the Pennsylvania Assigned Risk Plan; Liberty Mutual Insurance Company; Doc. No. P05-01-008**

Under the Pennsylvania Assigned Risk Plan, Section 19, that was adopted by the Insurance Commissioner under 75 Pa.C.S. § 1741 (relating to establishment), notice is hereby given that Michael Richard Grab t/a Grab-A-Cab, Inc. has requested a hearing on the determination by the Pennsylvania Assigned Risk Plan management regarding an error in the initial rating of the policy.

A prehearing telephone conference initiated by the Administrative Hearings Office is scheduled for March 15, 2005, at 10 a.m. A date for a hearing shall be determined, if necessary, at the prehearing telephone conference.

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before February 25, 2005, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before March 4, 2005.

A written request for continuance of the scheduled prehearing telephone conference, for good cause, will be considered by the Presiding Officer. Prior to requesting a continuance, a party must contact the opposing party. All continuance requests must indicate whether the opposing party objects to a continuance.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 05-209. Filed for public inspection January 28, 2005, 9:00 a.m.]

**Pennsylvania National Mutual Casualty Insurance Company; Homeowners Rate and Rule Revision; Rate Filing**

On January 11, 2005, the Insurance Department (Department) received from Pennsylvania National Mutual Casualty Insurance Company a filing for a rate level and rule change for homeowners insurance.

The company requests an overall 2.0% increase amounting to \$359,000 annually, to be effective March 1, 2005, for new business and April 14, 2005, for renewal business.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

Unless formal administrative action is taken prior to March 12, 2005, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to Michael P. McKenney, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, [mmckenney@state.pa.us](mailto:mmckenney@state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 05-210. Filed for public inspection January 28, 2005, 9:00 a.m.]

**Dawn Marie Repko; Prehearing**

**Appeal of Dawn Marie Repko under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM05-01-015**

On or before February 23, 2005, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's 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 March 16, 2005, at 1 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 1, 2005. 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 March 2, 2005, 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 March 11, 2005.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 05-211. Filed for public inspection January 28, 2005, 9:00 a.m.]

**Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the

Insurance Department's regional offices in Harrisburg and Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of Nicholas and Rosemarie Depietro; file no. 04-182-12499; AAA Mid-Atlantic Insurance Group; doc. no. P05-01-014; March 8, 2005, 10 a.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Keith Winchell; file no. 04-181-11863; Unitrin Direct Auto Insurance Company; doc. no. P05-01-003; April 5, 2005, 1 p.m.

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

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

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

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 05-212. Filed for public inspection January 28, 2005, 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 hearings will be held in the Insurance Department's regional offices in Philadelphia 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 Manilla Stidham-Gorham; file no. 04-210-04149; Keystone Insurance Company; doc. no. PH05-01-013; April 26, 2005, 9 a.m.

Appeal of Dawn Johnson; file no. 04-266-04652; Allstate Insurance Company; doc. no. PH05-01-001; February 17, 2005, 1 p.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Richard Toney; file no. 04-124-11888; Erie Insurance Exchange; doc. no. P05-01-006; April 6, 2005, 9 a.m.

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

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

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 05-213. Filed for public inspection January 28, 2005, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Continuation of Fuel Cost Recovery Surcharge

Public Meeting held  
January 13, 2005

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

*Continuation of Fuel Cost Recovery Surcharge; S. P. 28208*

### Order

*By the Commission:*

The Pennsylvania Public Utility Commission (Commission) by its Fuel Cost Recovery Surcharge Order at Special Permission Number 28208, ratified June 10, 2004, authorized call or demand, paratransit and airport transfer carriers under the jurisdiction of this Commission to

adjust rates and fares to offset significant increases in the cost of fuel. The Order was amended by this Commission at the Public Meeting of November 18, 2004 in response to a petition presented by The Brotherhood of Unified Taxi Drivers/Owners, in which this Commission was requested to increase the amount of the surcharge in consideration of higher prices in the vicinity of Philadelphia.

Initially, all call or demand carriers were authorized a fuel surcharge of thirty cents (\$.30) per trip for each paying passenger, and all paratransit and airport transfer carriers were authorized a fuel surcharge of seventy cents (\$.70) per trip for each paying customer. Medallion taxicabs were authorized to charge fifty cents (\$.50) per trip (including trips to and from Philadelphia International Airport) for each paying customer as a result of the amendment of the Public Meeting of November 18, 2004. The fuel surcharge is to be in addition to officially filed tariff rates. The fuel surcharge became effective on June 14, 2004, and is scheduled to terminate on June 12, 2005.

The order required the Bureau of Transportation and Safety to investigate the merits of the fuel surcharge on a quarterly basis, beginning September 30, 2004. As a result of the first quarterly evaluation performed in September of 2004, this Commission ordered the continuation of the fuel surcharge. Furthermore, data gathered by the Bureau of Transportation and Safety in the course of evaluating the petition of The Brotherhood of Unified Taxi Drivers/Owners indicated that it was reasonable to consider amending the order for an increased surcharge for Medallion Taxicabs serving the Philadelphia area.

In the process of conducting the second quarterly investigation, the Bureau analyzed current information available from the Energy Information Administration of the Department of Energy, the American Automobile Association, and OPIS Energy Group. Due to the amendment of the fuel surcharge on November 18, 2004, data has also been gathered which is relevant to the Philadelphia area served by Medallion Taxicabs.

At the time of approval of the fuel surcharge the average retail cost of regular gasoline was \$2 per gallon. It is also relevant to consider that Medallion Taxicabs were operating under a tariff in effect since 1991, at which time the average cost of gasoline was \$1.20. In the interval of October through early December of 2004, the average retail price of regular gasoline on the East Coast of the United States was \$1.99 per gallon. The average price of regular gasoline in the Philadelphia area was \$2.01 during this period. These figures indicate an increase since the evaluation for the first three months of the fuel surcharge. There has been no substantial change since the inception of the fuel surcharge.

In consideration of future prospects for retail gasoline prices, the Energy Information Administration of the Department of Energy was consulted. Gasoline prices during the months of October and December of 2004 were affected by several factors, the most significant of which were rising prices of crude oil (over \$50 per barrel) and reduced output in the Gulf of Mexico during the severe hurricanes. These situations have eased, but the Department of Energy reports that it is likely that gasoline prices are likely to rise by ten to fifteen cents per gallon by May of 2005.

After due consideration, we have determined that fuel costs have not substantially decreased. Based upon the evidence available, we are of the opinion that the passenger motor carrier industry continues to have a need for the fuel surcharge to permit the recovery of unanticipated fuel expenditures; *Therefore,*

*It Is Ordered That:*

1. The fuel surcharge established at Special Permission No. 28208 be continued.
2. The fuel surcharge as amended for Medallion Taxicabs serving the Philadelphia area be continued.
3. The Secretary of this Commission shall duly certify this order and deposit same with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-214. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Intrastate Petroleum Pipeline Services

**A-140110F2000. Buckeye Pipe Line Company, L. P.** Application of Buckeye Pipe Line Company, L. P., for approval of the abandonment and surrender of its certificated rights to offer and furnish intrastate petroleum pipeline services in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 14, 2005. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Buckeye Pipe Line Company, L. P.

*Through and By Counsel:* Anthony C. DeCusatis, Esquire, David B. MacGregor, Esquire, Morgan, Lewis and Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-215. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Natural Gas Service

**A-120700F2009. Columbia Gas of Pennsylvania, Inc.** Application of Columbia Gas of Pennsylvania, Inc. for approval of the abandonment of natural gas service to one natural gas service customer, Anthony Castelluccio, located in McKees Rocks, 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, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 14, 2005. 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:* Columbia Gas of Pennsylvania, Inc.

*Through and By Counsel:* Mark Kempic, Esquire, Southpointe Industrial Park, 501 Technology Drive, Canonsburg, PA 15317.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-216. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 22, 2005. 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-00121381, Folder 2. Reading Checker Cab, Inc.** (615 Elm Street, Reading, Berks County, PA 19601), a corporation of the Commonwealth of Pennsylvania—persons, in paratransit service, between points in the County of Berks, and from points in said county, to points in Pennsylvania, and vice versa. *Attorney:* Frederick O. Brubaker, 543 Elm Street, Reading, PA 19601-3301.

**A-00121381. Reading Checker Cab, Inc.** (615 Elm Street, Reading, Berks County, PA 19601), a corporation of the Commonwealth of Pennsylvania—persons, upon call or demand, in the County of Berks. *Attorney:* Frederick O. Brubaker, 543 Elm Street, Reading, PA 19601.

#### 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-00121390, F. 2. Ellas Limo, Inc.** (1253 Kerper Street, Philadelphia, Philadelphia County, PA 19111)—for the right to begin to transport, as a common carrier, by motor vehicle, persons, in group and party service, in vehicles seating 15 passengers or less, including the driver, from points in Allegheny County, to points in Pennsylvania, and vice versa; subject to the following condition: That no right power or privilege is granted to provide service from points in the Counties of Fayette, Greene and Washington; which is to be a transfer of the rights authorized under the certificate issued at A-0011642, F. 2.

**A-00121390. Ellas Limo, Inc.** (1253 Kerper Street, Philadelphia, Philadelphia County, PA 19111)—certificate of public convenience, for the right to begin to transport, as a common carrier, by motor vehicle, persons, in limousine service, from points in Allegheny County, to points in Pennsylvania, and vice versa; subject to the following conditions: (a) That no right, power or privilege is granted to provide service from points in the County of Allegheny, to points in the Counties of Butler, Fayette, Somerset, Washington and Westmoreland, and vice versa; (b) That no right, power or privilege is granted to provide service for funeral homes or for persons attending funerals; (c) That service is limited to the use of vehicles with a seating capacity of six or more; and persons in limousine service, between points in Allegheny County; which is to be a transfer of all the rights authorized under the certificate issued at A-0011642, F. 1 and F. 1, Am-A to Angel Limousine Service, Inc., subject to the same limitations and conditions.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-217. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Telecommunications

**A-310932F7001. Verizon North Inc. and Broadview Networks, Inc.** Joint petition of Verizon North Inc. and Broadview Networks, Inc. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and Broadview Networks, Inc., by its counsel, filed on January 11, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and Broadview Networks, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-218. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Telecommunications

**A-311188F7001. Verizon North Inc. and Broadview NP Acquisition Corp.** Joint petition of Verizon North Inc. and Broadview NP Acquisition Corp. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and Broadview NP Acquisition Corp., by its counsel, filed on January 11, 2005, at the Pennsylvania Public Utility Commission (Commission), a



joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and Broadview NP Acquisition Corp. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-219. Filed for public inspection January 28, 2005, 9:00 a.m.]

Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Broadview Networks, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-221. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Telecommunications

**A-311140F7001. Verizon North Inc. and Comcast Phone of Pennsylvania, LLC (f/k/a AT&T Broadband Phone of Pennsylvania, LLC).** Joint petition of Verizon North Inc. and Comcast Phone of Pennsylvania, LLC (f/k/a AT&T Broadband Phone of Pennsylvania, LLC) for approval of amendment no. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and Comcast Phone of Pennsylvania, LLC (f/k/a AT&T Broadband Phone of Pennsylvania, LLC), by its counsel, filed on January 13, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and Comcast Phone of Pennsylvania, LLC (f/k/a AT&T Broadband Phone of Pennsylvania, LLC) joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-220. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Telecommunications

**A-310932F7000. Verizon Pennsylvania Inc. and Broadview Networks, Inc.** Joint petition of Verizon Pennsylvania Inc. and Broadview Networks, Inc. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Broadview Networks, Inc., by its counsel, filed on January 10, 2005, at the

### Telecommunications

**A-311188F7000. Verizon Pennsylvania Inc. and Broadview NP Acquisition Corp.** Joint petition of Verizon Pennsylvania Inc. and Broadview NP Acquisition Corp. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Broadview NP Acquisition Corp., by its counsel, filed on January 10, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Broadview NP Acquisition Corp. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-222. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Wastewater Service

**A-230240F0023 and A-230067F2000. Little Washington Wastewater Company d/b/a Suburban Wastewater Company and CS Water and Sewer Associates.** Joint application of Little Washington Wastewater Company d/b/a Suburban Wastewater Company and CS Water and Sewer Associates for approval of: 1) the acquisition by Suburban Wastewater Company of the wastewater system assets of CS Water and Sewer Associates; 2) the right of Suburban Wastewater Company to begin to offer, render, furnish and supply wastewater service to the public in a portion of Lackawaxen Township in Pike County, PA; and 3) the abandonment by CS Water and

Sewer Associates of public wastewater service within Lackawaxen Township in Pike 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, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 14, 2005. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicants:* Little Washington Wastewater Company d/b/a Suburban Wastewater Company and CS Water and Sewer Associates

*Through and By Counsel:* Frances P. Orth, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 and Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, Suite 500, Harrisburg, PA 17101.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-223. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Water Service

**A-210104F0055 and A-210667F2000. Aqua Pennsylvania, Inc. and CS Water and Sewer Associates.** Joint application of Aqua Pennsylvania, Inc. and CS Water and Sewer Associates for approval of: 1) the acquisition by Aqua Pennsylvania, Inc. of the water system assets of CS Water and Sewer Associates; 2) the right of Aqua Pennsylvania, Inc. to begin to offer, render, furnish and supply water service to the public in a portion of Lackawaxen Township in Pike County, PA; and 3) the abandonment by CS Water and Sewer Associates of public water service within Lackawaxen Township in Pike 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, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 14, 2005. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicants:* Aqua Pennsylvania, Inc. and CS Water and Sewer Associates

*Through and By Counsel:* Frances P. Orth, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 and Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, Suite 500, Harrisburg, PA 17101.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-224. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Water Service

**A-210118. Brandonville Springs Water Company.** Application of Brandonville Springs Water Company for approval to begin to offer, render, furnish or supply potable water service to the residents of the Community of Brandonville Springs, located in the Village of Brandonville, East Union Township, Schuylkill 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, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 14, 2005. 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:* Brandonville Springs Water Company

*Through:* Stanley F. Frompovicz, 71 Jefferson Lane, Auburn, PA 17922.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-225. Filed for public inspection January 28, 2005, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 04-122.4, Access Controls at Tioga Adm. Bldg. (TAB) until 2 p.m. on Thursday, February 24, 2005. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available February 8, 2005. Additional information and project listings may be found at [www.philaport.com](http://www.philaport.com). The cost of the bid document is \$35 (includes 7% Pennsylvania Sales Tax). The cost is nonrefundable. The PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations. Bidders must provide to the Procurement Department in writing the names of individuals who will be attending prebid meetings. This information is needed 24 hours prior to the meeting. The information should be faxed to (215) 426-6800, ATTN: Procurement Department.

A mandatory prebid job site meeting will be held February 17, 2005, at 10 a.m. at PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 05-226. Filed for public inspection January 28, 2005, 9:00 a.m.]

### Request for Proposal

The Philadelphia Regional Port Authority (PRPA) is requesting prequalification submittals for Project No. 05-004.S, Selection of an Audit Firm. Contractor qualification forms are available from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available February 1, 2005. The cost of the form is \$35 (includes 7% Pennsylvania Sales Tax and also includes the Request for Proposals (RFP) package. The cost is nonrefundable for contractors that are prequalified.

Qualification forms must be submitted by 5 p.m. on February 25, 2005. The RFP packages will be given to all firms qualified by the PRPA. The PRPA is an equal opportunity employer. The contractor must comply with all applicable equal opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 05-227. Filed for public inspection January 28, 2005, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

February 23,      Etta Lee Nurick                      1 p.m.  
2005                      (Purchase of Maternity Leave)

Persons with a disability who wish to attend the listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 05-228. Filed for public inspection January 28, 2005, 9:00 a.m.]

## STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

**Bureau of Professional and Occupational Affairs v.  
Dennis P. Fumanti; Doc. No. 0353-60-2004; File  
No. 2001-60-06415**

On December 14, 2004, the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) issued an adjudication and order in which it revoked the vehicle salesperson license of Dennis P. Fumanti, license number MV-118706-L.

Persons may obtain a copy of the adjudication by writing to Thomas A. Blackburn, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 05-229. Filed for public inspection January 28, 2005, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Ronald O. Heatley, Jr.; Doc. No. 0812-60-2004;  
File No. 2003-60-01437**

On December 14, 2004, the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) issued an adjudication and order which levied a civil penalty of \$1,800 to the vehicle salesperson license of Ronald O. Heatley, Jr., license number MV-183175.

Persons may obtain a copy of the adjudication by writing to Thomas A. Blackburn, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 05-230. Filed for public inspection January 28, 2005, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

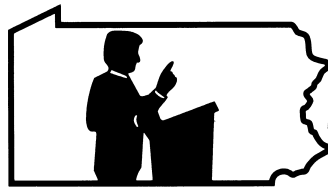
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:  
 The payment date specified in the contract.  
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.  
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

#### REQUIRED DATA DESCRIPTIONS

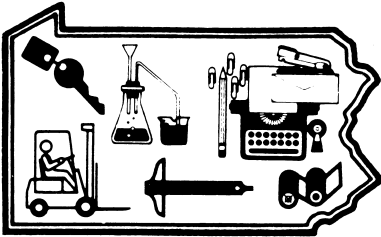
- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.  
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## PA TREASURY BUSINESS OUTLET—PLUG INTO IT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Services are free except for the cost of photocopying contracts (15 cents per page); postage; redaction, and certified copies. The bureau may assess reasonable fees for labor and other expenses necessary to comply with the request. A free brochure explains how to take advantage of available services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room 201 Finance Building  
 Harrisburg, PA 17120  
 717-787-4586  
 1-800-252-4700  
 BizOutlet@patreasury.org

ROBERT P. CASEY, Jr.,  
*State Treasurer*



### Commodities

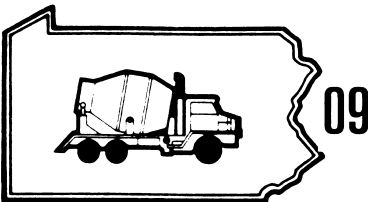
**CN00012608/VALVES** The State Correctional Institution at Somerset will be soliciting bids for repair parts (valves) for a hot water heating system at the institution. The manufacturer of the parts is Williams Valve Corporation, Long Island, NY. Interested vendors must be registered with the Commonwealth to receive bids and purchase orders and should contact the institution directly for a bid package. Questions regarding specifications of the system should be directed to Chris McDermott, Facility Maintenance Manager 1 at (814) 443-8100 X349.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** 1/1/05 through 12/31/05  
**Contact:** Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

**CN00012608-1/VALVES** The State Correctional Institution at Somerset will be soliciting bids for repair parts (valves) for a hot water heating system at the institution. The manufacturer of the parts is Williams Valve Corporation, Long Island, NY. Interested vendors must be registered with the Commonwealth to receive bids and purchase orders and should contact the institution directly for a bid package. Questions regarding specifications of the system should be directed to Chris McDermott, Facility Maintenance Manager 1 at (814) 443-8100 X349.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** 1/1/05 through 12/31/05  
**Contact:** Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

## SERVICES



### Construction & Construction Maintenance

**SU-04-15** Shippensburg University is seeking vendors interested in submitting a bid to furnish all the necessary labor, superintendence, materials, tools and equipment to perform metal welding and fabricating services throughout the various facilities, roads and grounds of Shippensburg University. All responsible bidders are invited to participate including MBE/WBE firms. A request for bid package may be sent to Karen Smith either by fax (717) 477-1350 or email at kmsmit@wharf.ship.edu.

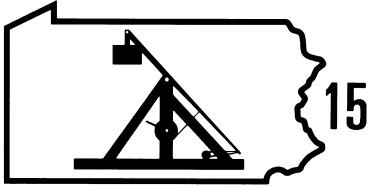
**Department:** State System of Higher Education  
**Location:** Shippensburg University, 1871 Old Main Drive, Shippensburg, PA 17257-2299  
**Duration:** For a period of one year with the option to renew for four (4) additional one (1) year periods.  
**Contact:** Karen Smith, (717) 477-1386

**KUCC-0036** Construction of Academic Forum Building, Contract KUCC-0036: Kutztown University is seeking qualified General, Mechanical, Plumbing and Electrical Contractors who are interested in submitting proposals in response to the University's Request for Proposal (RFP) for the construction of the Academic Forum Building at Kutztown University. The contractor selection process will be via sealed competitive proposals in accordance with the RFP. The work includes but is not limited to the furnishing of all labor, superintendence, materials, tools and equipment and performing all work necessary for the construction of an academic forum building of approximately 62,000 square feet. RFP packages are available for a non refundable fee of \$475.00 from: STV Architects, 205 West Welsh Drive, Douglasville, PA 19518, Phone (610) 385-8248, Attn: Karen Mauger. RFP packages are available January 31, 2005 through Pre-proposal meeting. A MANDATORY pre-proposal meeting has been scheduled for February 10, 2005 at 1:30 p.m. in the Blue Room in the Old Main Building. Proposals from interested contractors who do not attend the mandatory pre-proposal meeting will not be evaluated. All questions must be submitted in writing to STV Architects by 4 p.m. on February 21, 2005, to the attention of Stuart Rothenberger, fax: (610) 385-8584, or email to rothenms@stvinc.com. Proposals are to be received no later than 3 p.m., March 15, 2005 in Room 229, Office of Planning and Construction. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** Actual construction to begin on or after June 13, 2005 and all work must be completed on or before October 22, 2006. Any non-related construction work can begin upon issuance of the Notice to Proceed.  
**Contact:** Craig Kleinsmith, (610) 683-4602

**W-0502-0401** Supplying of all labor, scaffolding, ladders, tools, equipment and material to remove and replace the existing built-up roof system with a new adhered E.P.D.M. (Ethylene Propylene Diene Monomer) on the Activities Building.

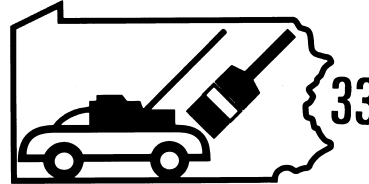
**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** Approximately March 1, 2005 through May 31, 2005  
**Contact:** Stanley Rygelski, PA, (570) 587-7291



### Environmental Maintenance Service

**BF 469-101.1** Abandoned Mine Land Reclamation Project, Robert F. Taylor, Mining Permit No. 03813074-03. The principal items of work and approximate quantities include Diversion and Care of Water, Clearing and Grubbing, 780,000 cubic yards of Grading, 6,165 cubic yards of Ditch Excavation, 2,560 square yards of High Volume Erosion Control Mulch Blanket, 3,340 square yards of Erosion Control/Turf Reinforcement Mat, 3,800 square yards of R-4 Rock Lining with Geotextile Fabric, 800 tons of Roadway Surface Material, 79 acres of seeding, planting 1,116 trees and relocating Telephone and Gas lines. This project issues on January 28, 2005 and bids will be opened on February 24, 2005 at 2 p.m. Payment in the amount of \$10.00 must be received before bid documents will be sent. Federal funds have been made available for this project from the \$24 million for Pennsylvania's 2004 AML Grant.

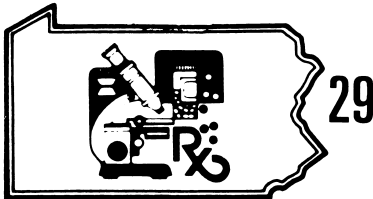
**Department:** Environmental Protection  
**Location:** Wayne and Cowanshannock Townships, Armstrong County  
**Duration:** 540 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, (717) 787-7820



### Property Maintenance

**CL-615, Upgrade HVAC, Marwick-Boyd, Phase II** Clarion University of Pennsylvania is soliciting bids for replacement of 10 DX cooling hot water heating fan coils with new fan coils having chilled water cooling and hot water heating. All required piping modifications, temperature controls and electrical work are included under one prime contract. Construction will be during the summer, at a time when classroom occupation will be at a minimum. Plans Cost: \$30.00, non-refundable, for one complete set of plans and specification, by check payable to Clarion University and mailed to the attention of Judy McAninch, Contract Specialist, 218 Carrier Hall, Clarion University, Clarion, PA 16214. Pre-Bid meeting: 10 a.m., February 8, 2005. Bids Due: 2 p.m., February 22, 2005.

**Department:** State System of Higher Education  
**Location:** Clarion University, Clarion, PA  
**Duration:** 100 Days from Notice to Proceed  
**Contact:** Judy McAninch, Contract Specialist, (814) 393-2240



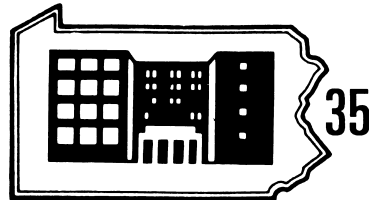
### Medical Services

**HUN-PROTHESIS** Contractor to provide for dental laboratory services for inmate dental prosthesis. Contract will be for 2 state correctional agencies.

**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike St., Huntingdon, PA 16654 AND State Correctional Institution at Smithfield, 1120 Pike St., Huntingdon, PA 16652  
**Duration:** 7/01/05 to 6/30/08  
**Contact:** Robert Jessell, Pur. Agt., (814) 643-2400 x 304

**HUN-DENTIST** The Contractor will provide the services of a licensed dentist for clinic work in the institutional Medical Department. Services to be provided on as needed basis. Specifications and duties are on file in the Purchasing Department of the using agency.

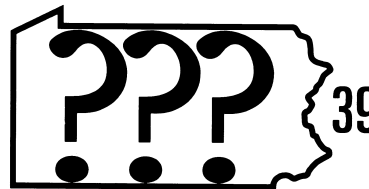
**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike St., Huntingdon, PA 16654  
**Duration:** 7/01/05 to 6/30/08  
**Contact:** Robert Jessell, Pur. Agt., (814) 643-2400 x 304



### Real Estate Services

**93804** Prime Development Opportunity in Philadelphia's "Olde City" - America's Most Historic Square Mile: The Department of General Services, through its exclusive marketing agent, will accept bids by public auction for the purchase of approximately 0.652-acres of real estate, including a masonry building, known locally as the Diagnostic and Rehabilitation Center, 229 Arch Street, "Olde City," Philadelphia. The auction will be conducted at the site on Tuesday, February 15, 2005. Interested parties wishing to receive a copy of Solicitation #93804, or to schedule a site visit, should contact Ziegler Auction Co., Ltd. (Lic. #2120-L), Attn: Jay Ziegler, 1550 Sand Hill Road, Hummelstown, PA 17036-9704, Telephone (717) 533-4267 Fax (717) 533-2114.

**Department:** General Services  
**Location:** Attn: Jay Ziegler, 1550 Sand Hill Road, Hummelstown, PA 17036-9704, Telephone (717) 533-4267, Fax (717) 533-2114.  
**Contact:** Jay Ziegler, (717) 533-4267



### Miscellaneous

**CN00012722** To provide Catholic Pastoral and other Religious Services to the residents of the Hollidaysburg Veterans Home on a continuing and as needed basis. This is a very personal service on a Clergyman/Client, one to one basis. The Chaplain plans, arranges for, and conducts regular and special formal religious services for the facility residents; such as: 1. Sunday Services; 2. Sick Calls; 3. Communion Services; 4. Funerals, etc. The Chaplain also acquaints the resident with the worship opportunities and religious ministry available to him/her. Contractor must be registered with the Commonwealth. In order to do so, please visit [www.vendorregistration.state.pa.us/](http://www.vendorregistration.state.pa.us/). If you would like a bid packet, please either e-mail or fax your request, along with your Vendor Registration Number, to the information below.

**Department:** Military Affairs  
**Location:** Hollidaysburg Veterans Home, P. O. Box 319, RT 220 and Meadows Intersection, Hollidaysburg, PA 16648-0319  
**Duration:** 01 July 2005 through 30 June 2006 with renewal options  
**Contact:** Becky J. Clapper, Fax 814/696-5395

**RFP 28-04** This Request for Proposal (RFP) provides interested offerors with sufficient information to enable them to prepare and submit proposals for consideration by the Commonwealth of Pennsylvania to satisfy a need for the Pennsylvania Statewide Adoption and Permanency Network (SWAN) Program. Prospective vendors must be registered with the Integrated Enterprise System (IES) at [www.vendor-registration.state.pa.us](http://www.vendor-registration.state.pa.us). Proposals must be received no later than March 15, 2005 at 2 p.m. Please check back to this site often. Updates will be posted as they occur.

**Department:** Public Welfare  
**Location:** Statewide.  
**Duration:** From date of execution until June 30, 2010.  
**Contact:** Beth Trowbridge, (717) 783-1083

**cn00012748** Calibration and service of equipment located in the boiler and water plants.

**Department:** Public Welfare  
**Location:** Polk Center, Main Street, Polk, PA 16342  
**Duration:** July 1, 2005 - June 30, 2009  
**Contact:** Amy Tatarek, (814) 432-0229

**CN00012625** Fuel Tax Recovery Services.

**Department:** Transportation  
**Location:** Equipment Division, 17th Street and Arsenal Blvd., Harrisburg, PA 17120  
**Duration:** One (1) year with four (4) additional one (1) year terms.  
**Contact:** Mark Reigle, (717) 783-6108

**cn00012744** Contractor will provide crane service with a certified operator on the grounds of Polk Center located in Polk, PA. The crane will be truck mounted, single boom, hydraulic operated, from 20 ton capacity with capabilities of heights of 85 to 90 feet. The contractor will provide a two man bucket or fixed bucket when requested by the Facility.

**Department:** Public Welfare  
**Location:** Polk Center, Main Street, Polk, PA 16323  
**Duration:** July 1, 2005 - June 30, 2008  
**Contact:** Amy Tatarek, (814) 432-0229

**CN00012721** To provide Protestant Pastoral and other Religious Services to the residents of the Hollidaysburg Veterans Home on a continuing and as needed basis. This is a very personal service on a Clergyman/Client, one to one basis. The Chaplain plans, arranges for, and conducts regular and special formal religious services for the facility residents; such as: 1. Sunday Services; 2. Sick Calls; 3. Communion Services; 4. Funerals, etc. The Chaplain also acquaints the resident with the worship opportunities and religious ministry available to him/her. Contractor must be registered with the Commonwealth. In order to do so, please visit ([www.vendorregistration.state.pa.us/](http://www.vendorregistration.state.pa.us/)) If you would like a bid packet, please either e-mail or fax your request, along with your Vendor Registration Number, to the information below.

**Department:** Military Affairs  
**Location:** Hollidaysburg Veterans Home, P. O. Box 319, RT 220 and Meadows Intersection, Hollidaysburg, PA 16648-0319  
**Duration:** 01 July 2005 through 30 June 2006 with renewal options  
**Contact:** Becky J. Clapper, Fax (814) 696-5395

[Pa.B. Doc. No. 05-231. Filed for public inspection January 28, 2005, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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DONALD T. CUNNINGHAM, Jr.  
*Secretary*



