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PENNSYLVANIA BULLETIN

Volume 34
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Agencies in this issue:

The General Assembly
The Courts
Department of Agriculture
Department of Banking
Department of Community and Economic
Development
Department of Conservation and Natural
Resources
Department of Environmental Protection
Department of General Services
Department of Public Welfare
Department of Revenue
Department of Transportation
Fish and Boat Commission
Health Care Cost Containment Council
Independent Regulatory Review Commission
Insurance Department
Office of General Counsel
Pennsylvania Infrastructure Investment
Authority
Pennsylvania Public Utility Commission
State Board of Osteopathic Medicine
State Board of Podiatry

Detailed list of contents appears inside.



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

No. 350, January 2004

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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.

**SUBSCRIPTION INFORMATION: (717) 766-0211
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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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Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

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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 2004.

4 Pa. Code (Administration)		210 Pa. Code (Appellate Procedure)	
Adopted Rules		Adopted Rules	
5	366	65	379
6	366		
Statements of Policy		231 Pa. Code (Rules of Civil Procedure)	
114	63	Adopted Rules	
7 Pa. Code (Agriculture)		200	9, 557
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34 Pa. Code (Labor and Industry)		2100	9
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401	319	2150	9
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405	319	2200	9
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9	235	2300	9
13	39	2320	9
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18	43	2950	22
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25	58, 563	3300	476
29	565		
35	61	234 Pa. Code (Rules of Criminal Procedure)	
39	55	Proposed Rulemaking	
41	60	4	34
58 Pa. Code (Recreation)		246 Pa. Code (Minor Court Civil Rules)	
Proposed Rulemaking		Proposed Rulemaking	
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143	484	300	480
147	485, 486	500	480
61 Pa. Code (Revenue)		249 Pa. Code (Philadelphia Rules)	
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872	50	255 Pa. Code (Local Court Rules)	
67 Pa. Code (Transportation)		Unclassified	37, 231, 379, 482, 483, 557
Statements of Policy			
86	567		
88	567		
204 Pa. Code (Judicial System General Provisions)			
Adopted Rules			
81	9		

THE GENERAL ASSEMBLY

Recent Actions during the 2004 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2004 Regular Session.

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2004 GENERAL ACTS ENACTED—ACT 001					
001	Jan 12	HB1426	PN1994	immediately	Urban Redevelopment Law—redevelopment contract provisions

Effective Dates of Statutes

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

Advance Copies of Statutes

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

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, State Records Center Building, 1825 Stanley Drive, Harrisburg, PA 17103, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

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

[Pa.B. Doc. No. 04-171. Filed for public inspection January 30, 2004, 9:00 a.m.]

COMMISSION ON SENTENCING

Meetings Scheduled for 2004

The Commission on Sentencing is giving notice that the following dates have been established for upcoming meetings in the year 2004:

February 10, 11 (Tuesday, Wednesday)	Harrisburg Hilton & Towers One North Second Street Harrisburg, PA 17101
May 18, 19 (Tuesday, Wednesday)	Pittsburgh Hilton & Towers 600 Commonwealth Place Gateway Center Pittsburgh, PA 15222
August 10, 11 (Tuesday, Wednesday)	The Nittany Lion Inn 200 West Park Avenue State College, PA 16801

December 14, 15 (Tuesday, Wednesday)

The Union League of Philadelphia
1450 Sansom Street
Philadelphia, PA 19102

Tuesday evening dinner/work sessions are scheduled from 6:30 p.m. to 9 p.m. with the work session beginning at 7:30 p.m. Regular quarterly Commission meetings are scheduled to begin at 9 a.m. on Wednesday mornings.

Individuals with questions concerning upcoming meetings should contact Mark H. Bergstrom, Executive Director, (814) 863-2797.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 04-172. Filed for public inspection January 30, 2004, 9:00 a.m.]

THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL [231 PA. CODE CH. 200] Damages for Delay

Rule 238. Damages for Delay in an Action for Bodily Injury, Death or Property Damage.

* * * * *

Addendum to Explanatory Comment

The prime rate set forth in the first edition of the *Wall Street Journal* for a particular year is the basis for calculating damages for delay under Pa.R.C.P. 238. The following list sets forth the prime rate published in the first edition of the *Wall Street Journal* for each of the years specified:

<i>Date of Publication</i>	<i>Prime Rate Percentage</i>
January 3, 1995	8 1/2
January 2, 1996	8 1/2
January 2, 1997	8 1/4
January 2, 1998	8 1/2
January 4, 1999	7 3/4
January 3, 2000	8 1/2
January 2, 2001	9 1/2
January 2, 2002	4 3/4
January 2, 2003	4 1/4
January 2, 2004	4

Official Note: The prime rate for the years 1980 through 1994 may be found in the Addendum to the Explanatory Comment published in the *Pennsylvania Bulletin*, volume 33, page 634 (2/1/03) and on the web site of the Civil Procedural Rules Committee at www.aopc.org.

By the Civil Procedural Rules Committee

R. STANTON WETTICK, Jr.,
Chair

[Pa.B. Doc. No. 04-173. Filed for public inspection January 30, 2004, 9:00 a.m.]

Title 255—LOCAL COURT RULES

SOMERSET COUNTY Consolidated Rules of Court; No. 9 Misc. 2004

Adopting Order

Now, this 8th day of January, 2004, it is hereby Ordered:

1. Somerset County Rule of Judicial Administration 210 (Som.R.J.A. 210), Restriction On Broadcasting, Recording And Photographs, is amended to read in its

entirety, as reflected in revised Som.R.J.A. 210, as follows, effective thirty days after publication in the *Pennsylvania Bulletin*.

2. Somerset County Rules of Civil Procedure 3103, Attachment Of Personal Earnings To Satisfy Judgment Awarded To A Judgment Creditor-Landlord and 3252, Form Of Writ Of Execution—Attachment Of Personal Earnings To Satisfy Judgment Awarded To A Judgment Creditor-Landlord, are rescinded, effective thirty days after publication in the *Pennsylvania Bulletin*.

3. The Somerset County Court Administrator is directed to:

A. File seven (7) certified copies of this Order and the Rules with the Administrative Office of Pennsylvania Courts.

B. Distribute two (2) certified copies of this Order and the Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

C. File one (1) certified copy of this Order and the Rules with the Pennsylvania Civil Procedural Rules Committee.

D. File proof of compliance with this Order in the docket for these Rules, which shall include a copy of each transmittal letter.

By the Court

EUGENE E. FIKE, II,
President Judge

Som.R.J.A. 210. Restriction On Broadcasting, Recording, and Photographs.

Unless specifically authorized by the Court, broadcasting, televising, transmitting images by any means, recording, or taking photographs is prohibited in the courtrooms, and areas immediately adjacent thereto, during sessions of court or recesses between sessions, including periods of time before and after sessions of court when parties, witnesses, jurors, and others are arriving or departing. For the purpose of implementation of this prohibition, cameras, broadcasting, transmitting, and recording devices shall not be permitted in the courtroom, and cameras, broadcasting, transmitting, and recording devices shall not be used on the second floor of the Courthouse and shall be permitted on the first floor of the Courthouse only in the area immediately adjacent to the Prothonotary's Office, unless prior Court approval is obtained.

[Pa.B. Doc. No. 04-174. Filed for public inspection January 30, 2004, 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 11, 2003, pursuant to Rule 219, Pa.R.D.E. The Order became effective January 10, 2004.

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.

Jacqueline O. Abdur-Razzaq
Atlantic City, NJ

Dennis Abele
Spain

Cecelia A. Adams
Kensington, MD

Adnan H. Al-Hashimi
Saudi Arabia

Allison L. Amorison
Wilmington, DE

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Germany

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Wilmington, DE

Rawle Andrews, Jr.
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Bridgeport, NY

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Executive Director and Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 04-175. Filed for public inspection January 30, 2004, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 104]

Sheep and Lamb Marketing Program; Wine Marketing and Research Program

The Department of Agriculture (Department) proposes to delete Subchapter C (relating to sheep and lamb marketing program) and add Subchapter F (relating to wine marketing and research program) to read as set forth in Annex A. The Pennsylvania Sheep and Lamb Marketing Program (Sheep Program) is no longer in existence. Therefore, Subchapter C is unnecessary. Proposed Subchapter F provides the Pennsylvania Wine Marketing and Research Program (Wine Program) needed regulatory authority, while providing affected wine producers guidance as to their obligations to the Wine Program.

Statutory Authority

The Agricultural Commodities Marketing Act (act) (3 Pa.C.S. §§ 4501—4513) provides the legal authority for this proposed rulemaking. Both the Sheep Program and the Wine Program are agricultural commodity programs established under authority of the act. Section 11 of the act (3 Pa.C.S. § 4511) authorizes the Department to promulgate regulations necessary to enforce the provisions of any marketing program established under its authority.

Purpose

The proposed rulemaking deletes Subchapter C. Due to the termination of the Sheep Program, Subchapter C serves no purpose.

The proposed rulemaking also affirms the obligations of affected wine producers with respect to the Wine Program, provides a mechanism for accounting and payment of producer charges and establishes a mechanism for the collection of producer charges from affected producers who do not pay their fair share to support the Wine Program.

Background

The act authorizes the establishment of an agricultural commodity marketing program through a referendum among affected producers of the agricultural commodity involved. The Wine Program was established through a referendum among persons who produce or sell wine under authority of a limited winery license issued in accordance with the Liquor Code (47 P.S. §§ 1-101—8-803).

The production of wine is closely regulated. Holders of limited winery licenses are required to report their wine production and sales to the Liquor Control Board. This production information assists the Wine Program in calculating the producer charges owed it by each affected wine producer. The producer charges are 15¢ per gallon of wine sold within a particular January 1—December 31 marketing season.

The proposed rulemaking emphasizes the obligation of an affected wine producer to account for and pay the appropriate producer charges to the Wine Program and

provides the Wine Program a mechanism by which to pursue collection of unpaid producer charges.

Need for the Proposed Rulemaking

The proposed rulemaking is necessary for the operation of the Wine Program and makes extensive use of language from existing regulations for other act-based agricultural commodity marketing programs. The Department is satisfied of the need for the proposed rulemaking.

Overview of the Major Provisions of the Proposed Rulemaking

Proposed §§ 104.73 and 104.74 (relating to producer charges; and responsibility for payment of producer charge), respectively, set forth the formula for calculation of producer charge amounts and the responsibility of an affected wine producer to pay these charges.

Proposed § 104.75 (relating to accounting and payment) describes the annual production verification statement forms by which an affected wine producer is to verify the quantity of wine produced within a given marketing season. It also describes the procedures for payment of producer charges and allows for the imposition of a penalty of between \$100 and \$5,000 against affected producers who are delinquent with payment.

Affected Individuals and Organizations

There are approximately 70 holders of limited winery licenses at present. The proposed rulemaking affects these persons.

Fiscal Impact

Commonwealth—The proposed rulemaking imposes no costs and has no fiscal impact on the Commonwealth.

Political Subdivisions—The proposed rulemaking imposes no costs and has no fiscal impact on political subdivisions.

Private Sector—The proposed rulemaking imposes no costs and has no adverse fiscal impact upon the private sector. Although the proposed rulemaking references the 15¢ per gallon producer charge, the charge has been established through a referendum among affected producers in accordance with the provisions of the act. The proposed rulemaking repeats this existing obligation. The proposed rulemaking does not create it. The proposed rulemaking helps to fully fund the research and marketing efforts of the Wine Program. Although this is expected to have a favorable economic impact upon this Commonwealth's wine production industry, this benefit is not readily quantifiable.

General Public—The proposed rulemaking imposes no costs and has no adverse fiscal impact upon the general public.

Paperwork Requirements

The proposed rulemaking does not appreciably increase the paperwork burden of the Department, other government units or affected wine producers.

Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*.

Sunset Date

There is no sunset date for the proposed rulemaking. The Department will review the efficacy of these regulations on an ongoing basis.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on January 16, 2004, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Standing Committees on Agriculture and Rural Affairs. A copy of this material is available to the public upon request.

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

Public Comment Period/Contact Person

Interested persons are invited to submit written comments regarding the proposed rulemaking within 30 days following publication in the *Pennsylvania Bulletin* to the Department of Agriculture, Bureau of Market Development, 2301 North Cameron Street, Harrisburg, PA 17110-9408, Attn: Kyle Nagurny.

DENNIS C WOLFF,
Secretary

Fiscal Note: 2-142. No fiscal impact; (8) recommends adoption.

Annex A**TITLE 7. AGRICULTURE****PART IV. BUREAU OF MARKET DEVELOPMENT****CHAPTER 104. ENFORCEMENT OF MARKETING PROGRAMS****Subchapter C. [SHEEP AND LAMB MARKETING PROGRAM] (Reserved)**

(Editor's Note: As part of this proposed rulemaking, the Department is proposing to rescind §§ 104.21—104.30, which appear in 7 Pa. Code pages 104-10—104-16, serial pages (266924)—(266930).)

§§ 104.21—104.30. (Reserved).**Subchapter F. WINE MARKETING AND RESEARCH PROGRAM**

Sec.	
104.71.	Scope.
104.72.	Definitions.
104.73.	Producer charges.
104.74.	Responsibility for payment of producer charge.
104.75.	Accounting and payment.

§ 104.71. Scope.

This subchapter establishes the procedures by which persons who produce or sell wine under authority of a limited winery license shall account for and pay producer charges owed the Program.

§ 104.72. Definitions.

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

ACMA—The Agricultural Commodities Marketing Act (3 Pa.C.S. §§ 4501—4513).

Board—The persons appointed by the Secretary from among those producers whose commodities are subject to the marketing and research program set forth in this subchapter.

Department—The Department of Agriculture of the Commonwealth.

Limited winery—The holder of a limited winery license issued under authority of the Liquor Code (47 P. S. §§ 1-101—8-803).

Marketing contract—Any contract or agreement between the Board and a person for the performance of service related to advertising, promotion, research, marketing, or other objectives in furtherance of the marketing and research program set forth in this subchapter.

Marketing season—

(i) The initial marketing season for purposes of this subchapter shall be from July 1, 2001, through December 31, 2001.

(ii) Thereafter, the marketing season shall be the period beginning January 1 of any year and extending through December 31 of the same year.

PLCB—The Pennsylvania Liquor Control Board.

Person—An individual, partnership, firm, corporation, association or any other business unit.

Producer—A person who produces or sells wine under authority of a limited winery license during a particular marketing season.

Program—The Pennsylvania Wine Marketing and Research Program.

Secretary—The Secretary of the Department.

§ 104.73. Producer charges.

The producer charges owed the Program shall be 15¢ per gallon of wine sold within a given marketing season, except in-State winery-to-winery sales in bond. In-State winery-to-winery sales in bond are exempt from charges. The producer charges may be changed by subsequent amendment of the Program in accordance with the referendum procedure in Chapter 103 (relating to referendums).

§ 104.74. Responsibility for payment of producer charge.

It is the responsibility of the producer to pay the appropriate producer charge owed the Program within the time period set forth in § 104.75(b) (relating to accounting and payment) and in the manner set forth in § 104.75(a).

§ 104.75. Accounting and payment.

(a) *Annual production statement.* The Program will provide a producer with annual production statement forms with which to verify the quantity of wine that it has produced within a particular marketing season. The producer shall provide the following information on the annual production statement and submit the form in accordance with this section:

(1) The name and address of the producer.

(2) The number of gallons of wine sold within the marketing season, or other time period designated by the Program.

(3) A calculation of the amount of producer charges owed the Program by the producer.

(b) *Deadlines.* The payment of the producer charges shall be postmarked and mailed, or actually delivered to the Program, by the first day of February immediately following the previous marketing season.

(c) *Form of payment.* Payments of producer charges shall be by check or money order made payable to the "PA Wine Marketing Program."

(d) *Address.* Payments of producer charges shall be mailed or delivered to:

Department of Agriculture,
Bureau of Market Development
Attn: Pennsylvania Wine Marketing Program
2301 North Cameron Street
Harrisburg, Pennsylvania 17110-9408.

(e) *Penalty for failure to account or pay.* Producers who fail to mail or deliver the required producer charges owed the Program within 30 days of the due date, as described in subsection (b), shall be required to pay a penalty of at least \$100 but not more than \$5,000, and as nearly equivalent to 100% of the amount of the delinquent producer charges as is practicable. An action seeking the imposition of a penalty, plus payment of producer charges due the Program, may be brought in the appropriate magisterial district. A penalty imposed shall be in addition to the delinquent producer charges owed the Program.

[Pa.B. Doc. No. 04-176. Filed for public inspection January 30, 2004, 9:00 a.m.]

STATE BOARD OF OSTEOPATHIC MEDICINE

[49 PA. CODE CH. 25]

Continuing Medical Education

The State Board of Osteopathic Medicine (Board) proposes to amend §§ 25.1 and 25.271 (relating to definitions; and requirements for renewal) to read as set forth in Annex A.

Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*. The Legislature has required that the Board promulgate regulations within 6 months of the effective date of section 910 of the Medical Care Availability and Reduction of Error (MCARE) Act (act) (40 P. S. § 1303.910).

Statutory Authority

Under section 910 of the act, the Board is required to establish requirements for continuing medical education for physicians as a condition for renewal of their licenses. Physicians are required to complete 100 credit hours of mandatory continuing medical education during each 2-year licensure period.

Background and Purpose

The proposed rulemaking implements section 910 of the act, which requires completion of 100 credit hours of continuing education as a condition of biennial licensure renewal of physician licenses by the State Board of Medicine and the Board. Although the Board already required 100 credit hours of continuing medical education each biennium, the act imposed a requirement that the

Board establish a minimum number of hours in the areas of patient safety and risk management.

Description of Proposed Rulemaking

The proposed rulemaking requires proof of completion of 100 credit hours of continuing medical education as a condition of license renewal, and sets forth a requirement that at least 20 of the 100 hours be American Osteopathic Association (AOA) category 1 credits and that at least 10 credit hours must be in the area of patient safety and risk management. Courses in the area of patient safety and risk management may include topics such as improving medical records and recordkeeping, reducing medical errors, professional conduct and ethics, improving communications, preventative medicine and healthcare quality improvement. The proposed rulemaking further designates the Accreditation Council on Continuing Medical Education and the AOA as the accrediting bodies for purposes of approving continuing medical education providers.

Fiscal Impact and Paperwork Requirements

The proposed rulemaking requires the Board to alter its license renewal forms to include data regarding the physician's compliance with the continuing education requirements, and also requires physicians to maintain their own records of continuing education credits, but otherwise, should have no adverse fiscal impact on the Commonwealth or its political subdivisions.

Sunset Date

The Board continuously monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on January 20, 2004, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Amy L. Nelson, Counsel, State Board of Osteopathic Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649 within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

THOMAS R. CZARNECKI, D.O.,
Chairperson

Fiscal Note: 16A-5313. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL
STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL
AFFAIRSCHAPTER 25. STATE BOARD OF OSTEOPATHIC
MEDICINE

Subchapter A. GENERAL PROVISIONS

§ 25.1. Definitions.

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

* * * * *

Approved course—A continuing medical education course offered by a provider accredited by the ACCME or the AOA.

* * * * *

Immediate family member—A parent, a spouse, a child or an adult sibling residing in the same household.

* * * * *

Subchapter G. LICENSING, EDUCATION AND
GRADUATE TRAININGLICENSURE RENEWAL AND CONTINUING
EDUCATION

§ 25.271. Requirements for renewal.

* * * * *

(c) Beginning with [1994 renewals] the licensure renewal period commencing November 1, 2004, proof of completion of 100 credit hours of continuing medical education in the preceding biennial period will be required for licensure renewal for osteopathic physicians.

(1) At least 20 credit hours shall be completed in AOA category 1 [AOA] approved courses. At least 10 credit hours shall be completed in approved courses in the area of patient safety and risk management. Approved courses in the area of patient safety and risk management may include topics such as improving medical records and recordkeeping, reducing medical errors, professional conduct and ethics, improving communications, preventative medicine and healthcare quality improvement. The [remainder] remaining 75 credit hours shall be completed in any [courses approved by either the AOA or ACCME] approved courses. Credit will not be granted for courses in office management or practice building.

(2) [A licensee] Physicians shall retain official documentation of attendance for 2 years after renewal, and shall certify completed courses on a form provided by the Board for that purpose, to be filed with the biennial renewal form. Official documentation proving attendance shall be produced, upon Board demand, pursuant to random audits of reported credit hours. **Electronic submission of documentation is permissible to prove compliance with this subsection.** Noncompliance may result in disciplinary proceedings under section 15(a)(6) of the act (63 P. S. § 271.15(a)(6)).

(3) [A retired or inactive licensee is not required to comply with this requirement, if the licensee offers no service requiring a medical license and files an Affidavit of Non-Practice with the renewal form.] The following exemptions apply for certain physicians:

(i) A physician applying for licensure in this Commonwealth for the first time shall be exempt from the continuing medical education requirement for the biennial renewal period following initial licensure.

(ii) A physician holding a current temporary training license shall be exempt from the continuing medical education requirement.

(iii) A retired physician who provides care only to immediate family members shall be exempt from the continuing medical education requirement.

(iv) A physician who is on inactive status shall be exempt from the continuing medical education requirement, except that a physician who is seeking to reinstate an inactive or lapsed license shall show proof of compliance with the continuing education requirement for the preceding biennium.

(4) [A licensee who has been on inactive status shall have completed 100 credit hours of continuing medical education in the 2-year period immediately prior to reactivation. For the renewal cycle immediately subsequent to reactivation, the licensee shall complete 12.5 credit hours for each full calendar quarter in which his license is active.] A physician suspended for disciplinary reasons is not exempt from the requirements of this section.

(5) [The Board may grant a hardship waiver only under extraordinary circumstances when it finds that good cause has been shown and that the public's safety and welfare will not be jeopardized by the granting of the waiver.] Waiver of the requirements may be permitted, as follows:

(i) The Board may grant a hardship waiver of all or a part of the continuing medical education requirement in cases of serious illness, military service or other good cause provided that the public's safety and welfare will not be jeopardized by the granting of the waiver.

(ii) Requests for waiver shall be made in writing, with appropriate documentation, and shall include a description of circumstances sufficient to show why compliance is impossible.

(iii) Waiver requests will be evaluated by the Board on a case-by-case basis. The Board will send written notification of its approval or denial of a waiver request.

[(6) A licensee suspended for disciplinary reasons is not exempt from the requirements in this section.

(7) A licensee graduating from an approved osteopathic medical college is exempt from the requirements in this section for the renewal cycle immediately subsequent to the receipt of an original license.

(8) A licensee holding a current temporary training license is exempt from the requirements in this section.

(9) For the renewal cycle immediately subsequent to licensure, a licensee licensed by reciprocal endorsement shall complete 12.5 credit hours for each full calendar quarter in which the licensee has been licensed.]

[Pa.B. Doc. No. 04-177. Filed for public inspection January 30, 2004, 9:00 a.m.]

STATE BOARD OF PODIATRY

[49 PA. CODE CH. 29]
Sexual Misconduct

The State Board of Podiatry (Board) proposes to amend § 29.1 (relating to definitions) and to add § 29.21a (relating to sexual misconduct) to read as set forth in Annex A.

Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*.

Statutory Authority

Under sections 15 and 16(3) of the Podiatry Practice Act (act) (63 P. S. §§ 42.15 and 42.16(3)), the Board has authority to establish standards of professional conduct for licensed podiatrists.

Background and Purpose

It should be axiomatic that it is unprofessional conduct for a podiatrist to engage in sexual contact with patients. Past decisions of the Board and the American Podiatric Medical Association guidelines denounce sexual contact between podiatrist and patient. However, complaints have been filed by consumers who have been harmed by podiatrists who engage in that unprofessional conduct.

Description of Proposed Rulemaking

The proposed rulemaking amends § 29.1 to define the terms "sexual behavior" and "sexual exploitation" and adds § 29.21a to make it clear that sexual misconduct is unprofessional conduct.

The purpose of the proposed rulemaking is to better protect patients by providing guidance to the profession and the public as to prohibited sexual conduct between podiatrists and patients. The proposed rulemaking prohibits any sexual contact between a podiatrist and a current patient.

Prohibited "sexual behavior," defined in § 29.1, is any sexual conduct that has no diagnostic or therapeutic purpose, including words, actions or any combination thereof which are, or are intended to be, sexual in nature or which may be construed by a reasonable person as sexual in nature.

The proposed rulemaking further prohibits sexual exploitation by a podiatrist of a current patient. "Sexual exploitation" is defined in § 29.1 as sexual behavior with a current patient that uses trust, knowledge, emotions or influence derived from the professional relationship.

The proposed rulemaking provides that licensed podiatrists who engage in prohibited sexual conduct with patients will not be eligible for placement in the Board's impaired professional program instead of disciplinary or

corrective actions. The impaired professional program is unable to effectively monitor licensed podiatrists who have engaged in sexual misconduct.

The proposed rulemaking also provides that patient consent would not be considered a defense to disciplinary action in these cases. The imbalance of power inherent in the health care practitioner-patient relationship not only serves as the basis for the prohibition but also undermines the patient's ability to consent to sexual behavior as an equal when trust, knowledge, emotions or influence derived from the professional relationship are used.

Fiscal Impact and Paperwork Requirements

The proposed rulemaking should have no fiscal impact on the Commonwealth or its political subdivisions. Likewise, the proposed rulemaking should not necessitate any legal, accounting, reporting or other paperwork requirements.

Sunset Date

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on January 20, 2004, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding the proposed rulemaking to Roberta L. Silver, Counsel, State Board of Podiatry, P. O. Box 2649, Harrisburg, PA 17105-2649 within 30 days of publication of this proposed rulemaking.

JEFFREY S. GARLAND, D.P.M.,

Chairperson

Fiscal Note: 16A-448. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 29. STATE BOARD OF PODIATRY GENERAL PROVISIONS

§ 29.1. Definitions.

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

* * * * *

Sexual behavior—Any sexual conduct with a current patient during the course of a professional relationship, evaluation, treatment, procedure or other service to the patient, regardless of the setting in which the professional service is provided, including words, actions, or any combination thereof, which are nondiagnostic or nontherapeutic, and are intended to be sexual in nature, or which may be construed by a reasonable person as sexual in nature.

Sexual exploitation—Any sexual behavior, with a current patient, that uses trust, knowledge, emotions or influence derived from the professional relationship.

STANDARDS OF ETHICAL PRACTICE

§ 29.21a. Sexual misconduct.

Under section 16(a)(3) of the act (63 P. S. § 42.16(a)(3)), the Board may refuse to grant and may suspend or revoke or cancel a license or a

registration for gross immorality or misconduct in carrying on the profession of podiatry.

(1) Gross immorality or misconduct includes sexual misconduct by a podiatrist as follows:

(i) Sexual behavior by a podiatrist with a current patient constitutes unprofessional conduct, is prohibited, and subjects the podiatrist to disciplinary action under section 16(a)(3) of the act.

(ii) Sexual exploitation by a podiatrist of a current patient constitutes unprofessional conduct, is prohibited, and subjects the podiatrist to disciplinary action under section 16(a)(3) of the act.

(2) A podiatrist who engages in conduct prohibited by this section will not be eligible for placement into an impaired professional program in lieu of disciplinary or corrective action.

(3) Consent is not a defense to conduct prohibited by this section.

[Pa.B. Doc. No. 04-178. Filed for public inspection January 30, 2004, 9:00 a.m.]

STATEMENTS OF POLICY

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 86]

Occupational Limited License—Statement of Policy

The Department of Transportation adopts this statement of policy in response to the requirements of the act of September 30, 2003 (P. L. 120, No. 24) (Act 24). This statement of policy is designed to provide guidance regarding procedures for the issuance and monitoring of occupational limited licenses issued under 75 Pa.C.S. § 1553 (relating to occupational limited license).

Effective Date

This statement of policy will be effective upon publication in the *Pennsylvania Bulletin*.

Contact Person

The contact person for this statement of policy is Michael P. Kistler, Manager, Driver Safety Division, Bureau of Driver Licensing, 1101 S. Front Street, 4th Floor, Harrisburg, PA 17104, (717) 772-2119.

Authority

This statement of policy is adopted under the authority in section 20 of Act 24.

Order

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 67 Pa. Code, are amended by adding a statement of policy in §§ 86.1—86.3 to read as set forth in Annex A.

(b) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

ALLEN D. BIEHLER, P. E.,
Secretary

Fiscal Note: 18-388 Statement of Policy. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE IV. LICENSING

CHAPTER 86. OCCUPATIONAL LIMITED LICENSE—STATEMENT OF POLICY

Sec.	
86.1.	Additional information.
86.2.	Investigation.
86.3.	Occupational Limited License Affidavit.

§ 86.1. Additional information.

(a) The Department of Transportation may require the submission of additional information or evidence if it is determined that the information provided in a petition for an occupational limited license submitted under 75

Pa.C.S. § 1553(b) (relating to occupational limited license) is ambiguous, incomplete, or of questionable veracity.

(b) Additional information or evidence required may include:

(1) Written statements from appropriate individuals verifying employment, study, or medical appointments or treatment.

(2) Proof of vehicle ownership.

(3) Proof of insurance.

(4) A schedule of driving time anticipated under the occupational limited license.

(5) A description or radius of the territory anticipated to be driven under the occupational limited license.

§ 86.2. Investigation.

The Department of Transportation may conduct its own investigation to verify the information contained in the petition for an occupational limited license or additional information or evidence submitted in accordance with this chapter. Investigation may include contacting employers, school administrators, medical providers or other appropriate individuals.

§ 86.3. Occupational Limited License Affidavit.

The Occupational Limited License Affidavit required under 75 Pa.C.S. § 1553(f)(5) (relating to occupational limited license) and to be carried by a driver who has been issued an occupational limited license shall include:

(1) The name, address, date of birth and driver license number of the petitioner.

(2) The year, make, model, license plate number and state of registration of every vehicle that will be driven by the petitioner.

(3) The insurance company name, policy number, effective date and expiration date of each insurance policy on every vehicle listed as being driven by the petitioner.

(4) The place of employment, study, or medical treatment or appointment for which the occupational limited license is needed.

(5) The hours of operation necessary for travel to the employment, study, or medical treatment or appointment.

(6) The name, signature and position of the employer, school administrator or medical provider attesting that the information provided on the form is true and correct.

[Pa.B. Doc. No. 04-179. Filed for public inspection January 30, 2004, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 88]

Ignition Interlock—Statement of Policy

The Department of Transportation adopts this statement of policy in response to the requirements of the act of September 30, 2003 (P. L. 120, No. 24) (Act 24). This statement of policy is designed to provide guidance regarding procedures for the installation and monitoring of ignition interlock systems under 75 Pa.C.S. § 3805 (relating to ignition interlock).

Effective Date

This statement of policy will be effective upon publication in the *Pennsylvania Bulletin*.

Contact Person

The contact person for this statement of policy is Michael P. Kistler, Manager, Driver Safety Division, Bureau of Driver Licensing, 1101 S. Front Street, 4th Floor, Harrisburg, PA 17104, (717) 772-2119.

Authority

This statement of policy is adopted under the authority in section 20 of Act 24.

Order

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 67 Pa. Code, are amended by adding a statement of policy in §§ 88.1—88.8 to read as set forth in Annex A.

(b) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

ALLEN D. BIEHLER, P. E.,
Secretary

Fiscal Note: 18-389 Statement of Policy. No fiscal impact; (8) recommends adoption.

ANNEX A**TITLE 67. TRANSPORTATION****PART I. DEPARTMENT OF TRANSPORTATION****Subpart A. VEHICLE CODE PROVISIONS****ARTICLE IV. LICENSING****CHAPTER 88. IGNITION****INTERLOCK—STATEMENT OF POLICY**

Sec.	Definitions.
88.1.	Definitions.
88.2.	Installation of ignition interlock system.
88.3.	Maintenance of ignition interlock system.
88.4.	Removal of ignition interlock system.
88.5.	Recall and reissuance of ignition interlock restricted license.
88.6.	Issuance of unrestricted license.
88.7.	Issuance of license to a person restricted by another state.
88.8.	Ignition interlock for nonresidents.

§ 88.1. Definitions.

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

Department—The Department of Transportation of the Commonwealth.

Provider—A vendor or person who installs and monitors ignition interlock equipment and who has the authority to verify vehicle ownership through access to the Department's vehicle records system.

Unrestricted license—A replacement license issued under 75 Pa.C.S. § 1951(d) (relating to driver's license and learner's permit) that does not contain the ignition interlock restriction.

§ 88.2. Installation of ignition interlock system.

(a) *General rule.* Any person subject to 75 Pa.C.S. § 3805 (relating to ignition interlock) who seeks a restoration of operating privileges shall engage a provider, at the person's own expense, to install all ignition interlock

systems required under 75 Pa.C.S. § 3805, and otherwise ensure compliance with this chapter.

(b) *Identification of owned vehicles.* The person seeking a restoration of operating privilege under 75 Pa.C.S. § 3805 shall submit to the provider a certification, on a form provided by the Department, that identifies each motor vehicle owned by the person or registered to the person. A vehicle is considered registered to a person under this chapter if Department records reflect that the vehicle is registered to a person or the person is otherwise designated as the registrant of the vehicle or named as the lessee of the vehicle under 75 Pa.C.S. § 1305 (relating to application for registration). The provider shall verify the accuracy of the facts in the person's certification through an inquiry to the Department's motor vehicle records system.

(c) *Installation and certification.* The provider shall install an ignition interlock system on each motor vehicle owned by the person or registered to the person and shall certify to the Department that the installation has been completed.

(d) *Installation not required.*

(1) Installation of an ignition interlock system is not required in the following situations:

(i) *No motor vehicles owned or registered.* If the person certifies to the provider a certification, on a form provided by the Department, that there are no motor vehicles owned by the person or registered to the person, installation is not required on any motor vehicle.

(ii) *Inoperable vehicles.* If the person certifies to the provider, on a form provided by the Department, that a motor vehicle owned or registered to the person is inoperable, installation is not required on the inoperable vehicle.

(2) The provider shall verify the accuracy of a certification submitted under paragraph (1)(i) and (ii) through an inquiry to the Department's motor vehicle records system and shall certify to the Department that the person is in compliance with this subsection.

(e) *Economic hardship exemption.* A person will be exempt from the requirement to install an ignition interlock system on each of the person's motor vehicles if the person demonstrates that the requirement will result in undue financial hardship.

(1) Undue financial hardship shall be demonstrated only by one of the following:

(i) Evidence on the person's most recently filed Federal Income Tax return showing an adjusted gross income below 200% of the poverty guidelines issued for that tax year by the United States Department of Health and Human Services for the person's family size.

(ii) Documentation of participation in a governmental assistance program included on a list of applicable programs published by the Department in the *Pennsylvania Bulletin*.

(2) The person shall submit to the provider an application for a hardship exemption on a form provided by the Department along with the required documentation.

(3) The provider shall review the required documentation to confirm that it meets the requirements of paragraph (1).

(4) The provider shall then install an ignition interlock system on only one vehicle owned by the person or registered to the person, forward the application to the

Department, and certify to the Department that the person has complied with this section.

§ 88.3. Maintenance of ignition interlock system.

(a) *General rule.* A person shall make any vehicles on which an ignition interlock system is installed available for regularly scheduled maintenance by the provider.

(b) *Additional vehicles.* As part of each regularly scheduled maintenance check of the ignition interlock system, the provider shall, through an inquiry to the Department's motor vehicle record's system, verify that no additional vehicles are owned by or registered to the person. Unless the person has been granted an economic hardship exemption under § 88.2(e) (relating to installation of ignition interlock system), if any additional vehicles are owned by or registered to the person, the provider shall, at the person's expense, install and maintain an ignition interlock system on those vehicles.

(c) *Notification of noncompliance.* If the person fails to comply with any provision of this section, the provider shall notify the Department of the person's noncompliance.

§ 88.4. Removal of ignition interlock system.

(a) *General rule.* An ignition interlock system installed in a motor vehicle under this chapter may not be removed from the vehicle unless one of the following occurs:

(1) The motor vehicle is no longer owned by or registered to the person who engaged the provider to install the ignition interlock system.

(2) The person has been issued an unrestricted license by the Department under 75 Pa.C.S. § 3805(c) (relating to ignition interlock).

(3) The provider has certified compliance with § 88.2(e) (relating to installation of ignition interlock system) to the Department and the provider has installed an ignition interlock system on another motor vehicle owned by the person or registered to the person.

(4) The person is no longer a resident of this Commonwealth and has been issued a valid license from the state of current residency.

(b) *Unauthorized removal.* If a person removes an ignition interlock system, or directs a provider to remove an ignition interlock system, under circumstances not provided for in this section, the provider shall notify the Department of the person's noncompliance.

§ 88.5. Recall and reissuance of ignition interlock restricted license.

(a) *Recall.* Upon receipt of notification from a provider of a person's noncompliance with any provision of this chapter, the Department may recall the person's ignition interlock restricted license.

(b) *Reissuance.* After receiving a new certification from a provider of compliance with this chapter by the person, the Department may reissue an ignition interlock restricted license to the person, and the person shall complete the balance of the ignition interlock restricted license period previously imposed before an unrestricted license will be issued.

§ 88.6. Issuance of unrestricted license.

(a) *General rule.* Upon completion of the ignition interlock restricted license period, a person who has been issued an ignition interlock restricted license may apply to the Department for issuance of an unrestricted license on a form provided by the Department.

(b) *Pending charges.* A person applying for an unrestricted license shall notify the Department on the application of any convictions and pending charges of illegally operating a motor vehicle not equipped with an ignition interlock, including all convictions and charges of tampering with an ignition interlock system, in violation of 75 Pa.C.S. § 3808 (relating to illegally operating a motor vehicle not equipped with ignition interlock), for a violation within the preceding 12 months. If the person notifies the Department of a pending charge, or of a conviction that has not yet been reported to and processed by the Department, the Department will deny the application.

(c) *Cancellation of unrestricted license.* If the Department receives or processes a record of a person's first conviction of violating 75 Pa.C.S. § 3808 after issuing an unrestricted license to the person, the Department will cancel the person's unrestricted license and will issue an ignition interlock restricted license to the person after receiving a new certification from a provider of the person's compliance with this chapter.

§ 88.7. Issuance of license to a person restricted by another state.

A person who has been issued a license with an ignition interlock restriction by another state, and who is otherwise eligible for issuance of a license under 75 Pa.C.S. § 1508(b) (relating to examination of applicant for driver's license), may apply for an ignition interlock restricted license from the Department in accordance with this chapter. The person shall become eligible for issuance of an unrestricted license only after serving an ignition interlock restricted license period of 1 year. If the person can provide documentation from the state that initially imposed the ignition interlock restriction satisfactory to the Department showing the amount of time that the person has been subject to the ignition interlock restriction, the person shall be given credit against the ignition interlock restricted license period imposed with the Pennsylvania license.

§ 88.8. Ignition interlock for nonresidents.

A person who is required to comply with 75 Pa.C.S. § 3805 (relating to ignition interlock), but is not a resident of this Commonwealth at the time when the person seeks a restoration of operating privileges, shall submit an affidavit and supporting documents to the Department indicating the person's state of residence. If the Department determines that the person is not a resident of this Commonwealth and the person has met all other restoration requirements, the person's driving privilege may be restored. If the person becomes a resident of this Commonwealth during the ignition interlock restricted license period, the person will not be issued an unrestricted license until the person complies with 75 Pa.C.S. § 3805 and this chapter.

[Pa.B. Doc. No. 04-180. Filed for public inspection January 30, 2004, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 20, 2004.

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-20-04	Sun Interim Trust Company, Lewisburg, and Sentry Trust Company, Chambersburg Surviving Institution—Sun Interim Trust Company, Lewisburg, with a change in corporate title and location to Sentry Trust Company, Chambersburg	Lewisburg	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-8-04	Northwest Savings Bank Warren Warren County	7512 West Ridge Road Fairview Erie County	Opened
1-13-04	Firsttrust Savings Bank Conshohocken Montgomery County	725 West Lancaster Avenue Bryn Mawr Montgomery County	Approved
1-13-04	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	6918 Brous Avenue Philadelphia Philadelphia County	Approved
1-13-04	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1411 Rhawn Street Philadelphia Philadelphia County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-8-04	Northwest Savings Bank Warren Warren County	<i>To:</i> 999 South Main Street Meadville Crawford County <i>From:</i> 932 Diamond Park Meadville Crawford County	Effective
1-8-04	Northwest Savings Bank Warren Warren County	<i>To:</i> 999 South Main Street Meadville Crawford County <i>From:</i> 880 Park Avenue Meadville Crawford County	Effective

SAVINGS INSTITUTIONS

No activity.

**CREDIT UNIONS
Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-20-04	Freedom Credit Union Philadelphia Philadelphia County	636 East Main Street Lansdale Montgomery County	Filed

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-181. Filed for public inspection January 30, 2004, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Educational Improvement Tax Credit Program; List of Qualified Scholarship Organizations and Edu- cational Improvement Organizations

The Department of Community and Economic Development (Department) gives notice of the continuation of the Educational Improvement Tax Credit Program (Program) which authorizes the award of tax credits to businesses that make contributions to scholarship organizations or educational improvement organizations determined by the Department to meet the requirements of Act 4 of 2001. The current list of scholarship organizations and educational improvement organizations follows and can be found on the Department's website at www.inventpa.com. Program guidelines, which establish the process whereby a scholarship organization or an educational improvement organization may be included on the list of organizations published by the Department, are available by contacting the Department's Economic Development Assistance Office or by accessing the Department's website.

Program inquiries and applications should be directed to the Educational Improvement Tax Credit Program, Center for Business Financing Tax Credit Division, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 787-7120, radceda@state.pa.us.

DENNIS YABLONSKY,
Secretary

List of Scholarship Organizations

Effective July 1, 2003, through June 30, 2004

ACSI Children's Tuition Fund of PA
845 Silver Spring Plaza, Suite B
Lancaster, PA 17601
www.acsi.org
John W. Storey, (717) 285-3022
john_storey@acsi.org

Agnes Irwin School
Ithan Avenue and Conestoga Road
Rosemont, PA 19010
www.agnesirwin.org
Vicki Lynch, (610) 525-8400
vlynch@agnesirwin.org

Aquinas Academy
2308 W. Hardies Road
Gibsonia, PA 15044
www.AquinasAcademy-Pittsburgh.org
Contact: Mr. Bradford, (724) 444-0722
bradford@aquinas.put.k12.pa.us

Armstrong County Community Foundation
160 North McKean Street
Kittaning, PA 16201
Gail Seifert, (724) 548-5897
accfound@alltel.net

Benchmark School
2107 North Providence Road
Media, PA 19063
www.benchmarkschool.org
Lynn M. Gonzalez, (610) 565-3741
lynngonzalez@benchmarkschool.org

Berks County Community Foundation
P. O. Box 212
Reading, PA 19603
www.bccf.org
Richard C. Mappin, (610) 685-2227
richardm@bbcf.org

Blue & White Scholastic Foundation
22 Market Street, P. O. Box 17
Bangor, PA 18013
www.circlethisad.com/circlethisad/blue&white.com
David Ceraul, (610) 588-0378
dceraul@nni.com

Bravo Educational Foundation, Inc.
20 N. Market Square, Suite 810
Harrisburg, PA 17101
Athan Koutsoumbaras, (717) 214-2200

Bryn Athyn Church of the New Jerusalem
P. O. Box 277
Bryn Athyn, PA 19009
Stewart Asplundh, (215) 947-6225
stewart@bacs-gc.org

Buckingham Friends School
P. O. Box 159
Lahaska, PA 18931
www.bfs.org
Alan Stifelman, (215) 794-7496
bfsbm@bfs.org

Business Leadership Organized for Catholic Schools
(BLOCS)
222 N. 17th Street
Philadelphia, PA 19103
www.blocs.org
Regina DiGuilio, (215) 587-0590
RDIGUILI@adphila.org

Byerschool Foundation
210 West Rittenhouse Square, Suite 400
Philadelphia, PA 19103
www.byerschool.org
Laurada Byers, (215) 790-2552
lbyers@byerschool.org

CEO America Lehigh Valley
33 South 7th Street, Suite 250
Allentown, PA 18101
www.ceoamerica.net
James Saunders, (610) 776-8740
kemptonjim@aol.com

Cathedral Preparatory Scholarship Fund
225 West 9th Street
Erie, PA 16501
www.cathedral-prep.com
Chris Hagerty, (814) 453-7737
chagerty@cathedral-prep.com

Central Pennsylvania Autism Education and Resource
Center d/b/a The Vista School
1801 Oberlin Road
Middletown, PA 17057
Michael G. Jarman, (717) 237-5232
mjarman@mwn.com

Chester County Community Foundation
28 W. Market Street
West Chester, PA 19382
www.chescocf.org
Beth Harper Briglia, (610) 696-8045
info@chescocf.org

Children First America, Delaware County
2600 West 9th Street
Chester, PA 19013
Doreen Strand, (610) 497-3445
cfaDelawareco@aol.com

Children's Scholarship Fund
8 West 38th Street, 9th Floor
New York, NY 10018
www.scholarshipfund.org
Richard Hough, (212) 515-7105
rrough@scholarshipfund.org

Children's Scholarship Fund—Philadelphia
1616 Walnut Street, Suite 312
Philadelphia, PA 19103
www.csphiladelphia.org
Ina Lipman, (215) 670-8410
ilipman@csphiladelphia.org

Christian Life Academy
P. O. Box 207
Seneca, PA 16346
Michael Lloyd, (814) 676-9360
mslloyd@sonline.net

Christian School of York
907 Greenbriar Road
York, PA 17404
www.yourinfo.com/csy
Kim Martin, (717) 767-6842
kem@csyonline.com

Community Country Day School
5800 Old Zuck Road
Erie, PA 16506
Dr. Mary Beth Kennedy, (814) 455-6155
motherkennedy@angelfire.com

Community Foundation of Susquehanna County
36 Lake Avenue
Montrose, PA 18801
Joseph T. Burke, (570) 278-3800
foundation@epix.net

Community Scholarship Fund of the Philadelphia
Foundation
1234 Market Street, Suite 1800
Philadelphia, PA 19107
www.philafound.org
Meg Wise, (215) 563-6417
mwise@philafound.org

Covenant Scholarship Organization
310 Extension Street
Mansfield, PA 16933
www.ncalions.org
Terry Mickey, (570) 662-2996
mickey@ncalions.org

Crispus Attucks Association, Inc.
605 South Duke Street
York, PA 17403
www.crispusattucks.org
Christina Ginder, (717) 848-3610
cginder@crispusattucks.org

The Crossroads Foundation
2901 Webster Avenue
Pittsburgh, PA 15219
www.crossroadsfoundation.org
Jan Hayes, (412) 621-9422
jhayes@crossroadsfoundation.org

Davidsville Community Church
197 Pender Road
Johnstown, PA 15905
Harry Beam, (814) 479-2525

Dayspring Christian Academy
1008 New Holland Avenue
Lancaster, PA 17601
www.dayspringchristian.com
Bruce Prestidge, (717) 295-6426
bjprestidge@dayspringchristian.com

Delaware Valley Friends School
19 East Central Avenue
Paoli, PA 19301
www.dvfs.org
Kathleen Sanger, (610) 640-4150
sangk@fc.dvfs.org

Derry New Testament Church Scholarship Organization
R. D. 3, Box 176C
Derry, PA 15627
Barry A. Yellets, (724) 694-8222
derrychristianacadem@msn.com

Devon Preparatory School
363 N. Valley Forge Road
Devon, PA 19333
www.devonprep.com
Jean Emhof, (610) 688-7337
developdp@yahoo.com

Diocese of Scranton Scholarship Foundation
300 Wyoming Avenue
Scranton, PA 18503
www.dioceseofscranton.org
Ernest G. Pappa, (570) 207-2250
EGPappa@aol.com

Eastern Pennsylvania Scholarship Foundation
4029 Tilghman Street
P. O. Box F
Allentown, PA 18105
www.allentowndiocese.org
Michael J. Principato, (610) 871-5200
mprincipato@allentowndiocese.org

Ephrata Church of the Nazarene
110 Durlach Road
Ephrata, PA 17522
Sandra Sisler, (717) 733-2000
Cougar@dejazzd.com

Erie Day School, Inc.
1372 West 6th Street
Erie, PA 16505
www.riedayschool.com
Justin Coleman, (814) 452-4273
jcoleman@riedayschool.com

Faith Builders Educational Programs, Inc.
28500 Guys Mills Road
P. O. Box 127
Guys Mills, PA 16327
www.FBEP.Homestead.com
David Strubhar, (814) 789-4518
strubhar@toolcity.net

Faith First Educational Assistance Corporation
7801 Roosevelt Boulevard, No. 17
Philadelphia, PA 19152
Alberta C. Wilson, (215) 331-7273
albertaahh@aol.com

Family Choice Scholarship Fund of the PA Family Institute
1240 North Mountain Road
Harrisburg, PA 17112
www.pafamily.org
Michael Geer, (717) 545-0600
mail@pafamily.org

Family Scholarship Fund of the Commonwealth Education Organization
90 Beta Drive
Pittsburgh, PA 15238
www.comeduorg.org
Patricia D. Dolan, (412) 967-9691
ceo@telerama.com

Foundation for Jewish Day Schools of Greater Philadelphia
2100 Arch Street
Philadelphia, PA 19103
www.jewishphilly.org
Richard Nassau, (215) 832-0528
rnassau@philafederation.org

Foundation to Advance the Catholic Education System
P. O. Box 4383
Reading, PA 19606
Matthew Lloyd, (610) 779-4005

Friends' Central School
1101 City Avenue
Wynnewood, PA 19096
www.friendscentral.org
Evelyn Rader, (610) 645-5040
erader@friendscentral.org

The Fund for the Advancement of Minorities through Education, Inc.
The Ellis School
6425 Fifth Avenue
Pittsburgh, PA 15206
www.fame@TheEllisSchool.org
Lisa Baldwin, (412) 441-5600
FAME@theellisschool.org

Futuro Educacional, Inc.
1346 Hancock Street
Philadelphia, PA 19102
Juan F. Ramos, (215) 561-1655
JFRamos@aol.com

George Junior Republic
200 George Junior Road
P. O. Box 1058
Grove City, PA 16127
www.gjrinpa.org
Suzanne F. Vogel, (724) 458-9330
svogel@gjrinpa.org

Germantown Friends School
31 W. Coulter Street
Philadelphia, PA 19144
www.gfsnet.org
John Friedman, (215) 951-2336
johnf@gfsnet.org

Girard College Development Fund
2101 South College Avenue
Philadelphia, PA 19121
www.gcdf.org
Clinton Walters, (215) 568-0440
Cwalters@girardestate.org

Greater Erie Action Committee
18 West 9th Street
Erie, PA 16501
www.gecac.org
Linda Madara, (814) 870-5402
lmadara@gecac.org

Greene Street Friends School (NW Philadelphia Scholarship Program)
5511 Greene Street
Philadelphia, PA 19144
www.greenestreetfriends.org
Emily F. Harmar, (215) 438-7003
eharmar@greenestreetfriends.org

Gwynedd-Mercy Academy
1345 Summeytown Pike
P. O. Box 902
Gwynedd Valley, PA 19437
www.gmahs.com
S. Kathleen Boyce, RSM, (215) 646-8815

Harrisburg Academy
10 Erford Road
Wormleysburg, PA 17043
www.harrisburgacademy.org
David Zett, (717) 763-7811
dzett@harrisburgacademy.org

Henkels Foundation
985 Jolly Road
Blue Bell, PA 19422
Paul M. Henkels, (215) 283-7901
phenkels@henkels.com

Hershey Christian School Association
P. O. Box 378
Hershey, PA 17033
www.hersheychristian.org
Timothy D. Rockafellow, (717) 533-4900
hcsadmin@paonline.com

Holy Family Foundation
8235 Ohio River Boulevard
Pittsburgh, PA 15202
www.hfi-pgh.org
Diana Fryer, (412) 766-9020
fryer.diana@hfi-pgh.org

Imani Christian Academy
235 Eastgate Drive
Pittsburgh, PA 15235
Allyson Brown, (412) 731-7982
Imanica@msn.com

Indian Creek Valley Christian Family & Children's Center
2166 Indian Head Road
Champion, PA 15622
www.champion.org
D. Merle Skinner, (724) 455-2122
mskinner@champion.org

Inn Dwelling
109 East Price Street
Philadelphia, PA 19144
www.inndwelling.org
Alfred J. Smith, CM, (215) 438-2195
broalfred@aol.com

Jewish Federation of Greater Wilkes-Barre
60 South River Street
Wilkes-Barre, PA 18702
Don Cooper, (570) 824-4646
JCCDon@aol.com

Jewish Federation of the Lehigh Valley
702 N. 22nd Street
Allentown, PA 18104
Ross Born, (610) 821-5500
lvfed@enter.net

Joey F. Casey Memorial Foundation
4219 Vista Street
Philadelphia, PA 19136
Nancy Casey, (215) 331-6424
ncasey2796@aol.com

John P. Tramontano, Jr. Education Foundation
2171 West 38th Street
Erie, PA 16508
www.manp.org
Beatrice Brenner, (814) 833-3200
bblenner@manp.org

Keystone Christian Education Association
6101 Bell Road
Harrisburg, PA 17111
www.kcea.com
Rev. Theodore E. Clater, Ph.D., (717) 564-1164
TClater@kcea.com

Kimberton Waldorf School
P. O. Box 350
West Seven Stars Road
Kimberton, PA 19442
www.Kimberton.org
Mark Birdsall, (610) 933-3635
markbird@kimberton.org

Kiskiminetas Springs School
1888 Brett Lane
Saltsburg, PA 15681
www.kiski.org
Judy McAtee, (724) 639-3586
Judy.McAtee@kiski.org

La Salle College High School Scholarship Fund
8605 Cheltenham Avenue
Wyndmoor, PA 19038
John J. Meko, Jr., (215) 233-2350
meko@lschs.org

Lancaster Country Day School
725 Hamilton Road
Lancaster, PA 17603
www.e-lclds.org
Ellen M. Simpson, (717) 397-7086
simpsonsone@e-lclds.org

Linden Hall
212 East Main Street
Lititz, PA 17543
www.lindenhall.org
Thomas W. Needham, (717) 626-8512
head@lindenhall.org

Living Word Academy
R. D. 2 Box 230
Wellsboro, PA 16901
John Pifer, (570) 724-3260

Malvern Preparatory School
418 S. Warren Avenue
Malvern, PA 19355
www.malvernprep.org
Theodore N. Caniglia, Jr., (484) 595-1122
tcaniglia@malvernprep.org

Meadowbrook School
Meadowbrook School Scholarship Program
1641 Hampton Road
Meadowbrook, PA 19046
Margaret Bandera, (215) 884-3238
kmadmis@meadowbrookXX.org

Mercersburg Academy
300 East Seminary Street
Mercersburg, PA 17236
www.mercersburg.edu
Don Hill, (717) 328-6121
hilld@mercersburg.edu

Moravian Academy
7 East Market Street
Bethlehem, PA 18018
www.moravian.k12.pa.us
Jack B. May, (610) 868-4744
devoff@moravian.k12.pa.us

Neumann Scholarship Foundation
4800 Union Deposit Road
P. O. Box 3553
Harrisburg, PA 17105
Rev. Edward J. Quinlan, (717) 657-4804
frquinlan@hbgdiocese.org

Officer Daniel Boyle Scholarship Fund
410 Overhill Avenue
Philadelphia, PA 19116
T. Patrick Boyle, (215) 677-0168
boyles410@aol.com

PALS—Pittsburgh Area Lutheran Schools
1261 Pennsylvania Avenue
Oakmont, PA 15139
Edward Terhune, IV, (412) 392-8790
eterhune@saiengr.com

PJHS Scholarship Organization
1000 Wyoming Avenue
Scranton, PA 18509
Linda M. Briskey, (570) 941-7747
briskey@scrantonprep.com

Pen Ryn School
235 S. Olds Boulevard
Fairless Hills, PA 19030
www.penryn.org
Liz Morton, (215) 547-1800
LmortonPenRyn@aol.com

Penn-Mont Academy
131 Holliday Hills Drive
Hollidaysburg, PA 16648
www.altoona.net/penn-mont
Michelle Hartye, (814) 696-8801
pennmont@nb.net

Penngift Foundation, Inc.
102 South Pine Street
Elverson, PA 19520
John M. Cassidy, (610) 913-0698
penngift@ptd.net

Pennsylvania Catholic Conference Scholarship Founda-
tion
233 North Street
P. O. Box 2835
Harrisburg, PA 17105
Robert O'Hara, Jr., (717) 238-9613

Pennsylvania Classical & Christian School
4843 East Prospect Road
York, PA 17406
Linda Brown, (717) 755-1691
linda.brown@logosyork.org

Penseco Foundation
150 North Washington Avenue
Scranton, PA 18503
Patrick Scanlon, (570) 346-7741
p.scanlon@pennsecurity.com

Pittsburgh Jewish Educational Improvement Foundation
234 McKee Place
Pittsburgh, PA 15213
Harvey B. Sloan, (412) 992-5212
hsloan@ujf.net

Pittsburgh Urban Christian School, Inc.
809 Center Street
Pittsburgh, PA 15221
www.pucs.org
Nancy E. Auman, (412) 244-1779
aumann@stargate.net

Poise Foundation
Poise Primary & Secondary Edu. Scholarship Fund
425 Sixth Avenue, Suite 1390
Pittsburgh, PA 15219
www.poisefoundation.org
Mark S. Lewis, (412) 281-4967
mlewis@poisefdn.org

Praise Assembly of God
245 Foster Road
North Versailles, PA 15137
Anna M. Pier, (412) 829-1300
apier@stargate.net

Provident Scholarship Foundation, Inc.
1708 North Sanatoga Road
Pottstown, PA 19464
www.InfoPSF.org
Mark C. Moore, (484) 686-5820
Contact@InfoPSF.org

River Valley School
Charleston and South Braddock
Pittsburgh, PA 15218
www.rivervalleyschool.net
Gina Quintana, (412) 247-9133
rvspitt@yahoo.com

Rosemont School of the Holy Child
1344 Montgomery Avenue
Rosemont, PA 19010
www.rosemontschool.org
Carole A. Manley, (610) 922-1021
cmanley@rosemontschool.org

STAR Foundation
429 East Grandview Blvd.
Erie, PA 16504
www.eriercd.org
Ned Smith, (814) 824-1240
nsmith@eriercd.org

Scholarship Partners Foundation
723 East Pittsburgh Street
Greensburg, PA 15601
www.dioceseofgreensburg.org
Mike Ziemski, (724) 552-2548
mziemski@dioceseofgreensburg.org

Scholastic Opportunity Scholarship Fund (SOS)
111 Boulevard of the Allies
Pittsburgh, PA 15222
www.diopitt.org
Dr. Ronald Bowes, (412) 456-3090
rbowes@diopitt.org

Second Century Scholarship Fund
126 Logan Blvd.
Hollidaysburg, PA 16648
www.secondcenturyfund.org
Larry Sutton, (814) 695-5579
sutton@dioceseaj.org

Sewickley Academy
315 Academy Avenue
Sewickley, PA 15143
www.sewickley.org
Maureen G. McKnight, (412) 741-2113
mcknight@sewickley.org

Shady Side Academy
423 Fox Chapel Road
Pittsburgh, PA 15238
www.shadysideacademy.org
Andrea A. Lovelace, (412) 968-3032
alovelace@shadysideacademy.org

Shenango Valley Foundation
41 Chestnut Street
Sharon, PA 16146
Lawrence E. Haynes, (724) 981-5882
larrysvf@adelphia.net

South Central Pennsylvania Educational Improvement
Program, Inc.
3211 North Front Street
Harrisburg, PA 17110
www.HarrisburgRegionalChamber.org
David E. Black, (717) 213-5020
dblack@hbgrc.org

Springside School
8000 Cherokee Street
Philadelphia, PA 19118
www.Springside.org
Patricia V. Voigt, (215) 247-7003
pvoigt@springside.org

St. Edmund's Academy
5705 Darlington Drive
Pittsburgh, PA 15217
www.stedmunds.net
Bruce Hayes, (412) 521-1907
brucehayes@stedmunds.net

St. James Catholic High School Alumni Association
P. O. Box 383
Ridley Park, PA 19078
www.stjbulldogs.org
Joseph Di Gregorio, (610) 494-0446
joegdig@aol.com

St. Sophia Orthodox Christian Academy
111 Alberta Avenue
Johnstown, PA 15905
Susan Nash, (814) 535-8388
smn@charter.net

Susquehanna Waldorf School
15 West Walnut Street
Marietta, PA 17547
www.susquehanna.org
Allyn Weiser, (717) 426-4506

Talk Inc.—Scholarship Fund for the Magnolia Speech
School Demonstration Program
203 E. Lancaster Avenue, 2nd Floor
Wayne, PA 19087
www.talkinc.org
Michael Dinda, (610) 613-1170
mdinda@comcast.net

The Baldwin School
701 Montgomery Avenue
Bryn Mawr, PA 19010
www.baldwinschool.org
Nina Terres, (610) 525-2700
nnterres@baldwinschool.org

The Children's Scholarship Fund of the Immaculate
Conception Endowment Fund
729 East Main Street
Clarion, PA 16214
Milissa Bauer, (814) 226-4160
mbauer@kriebelgas.com

The Church Farm School
P. O. Box 2000
Paoli, PA 19301
www.gocfs.net
Neil J. Fanelli, Jr., (610) 363-7500
nfanelli@gocfs.net

The Ellis School
6425 Fifth Avenue
Pittsburgh, PA 15206
www.theellisschool.org
Ann L. Getkin, (412) 441-2593
getkin@theellisschool.org

The Episcopal Academy
376 North Latches Lane
Merion, PA 19066
www.ea1785.org
Margaret Hollinger, (610) 617-2246
mholling@ea1785.org

The Greater Philadelphia Urban Affairs Coalition/Black
Alliance for Educational Options
1207 Chestnut Street, 7th Floor
Philadelphia, PA 19107
Keisha Hegamin, (215) 851-1774
dcurry@gpuac.org

The Grier Foundation
P. O. Box 308, Route 453
Tyrone, PA 16686
www.grier.org
Andrew M. Wilson, (814) 684-3000
admissions@grier.org

The Haven d/b/a The Pittsburgh Waldorf School Initiative
201 South Winebiddle Street
Pittsburgh, PA 15224
www.waldorfpittsburgh.org
Amy Bulebush, (412) 441-5792
mbartolini@waldorfpittsburgh.org

The Haverford School
450 Lancaster Avenue
Haverford, PA 19041
www.haverford.org
A. Hobart Porter, (610) 642-3020
hporter@haverford.org

The Hillside School (Lehigh Valley Independent School
Scholarship Program)
2697 Brookside Road
Macungie, PA 18062
www.hillsideschool.org
Kathy Green, (610) 967-3701
kgreen@hillsideschool.org

The Janus School
205 Lefever Road
Mount Joy, PA 17552
www.janus.pvt.k12.pa.us
Barbara Tritt, (717) 653-0025
btritt@janus.pvt.k12.pa.us

The Mennonite Foundation, Inc.
1110 North Main Street, Box 483
Goshen, IN 46527
www.mma-online.org
Marlin Hershey, (717) 560-6800
marlin.hershey@mmapartners.org

The New School of Lancaster
935 Columbia Avenue
Lancaster, PA 17603
www.newschool.net
Myrna Lee, (717) 397-7655
mlee@newschool.net

The Shipley School
814 Yarrow Street
Bryn Mawr, PA 19010
www.shipleyschool.org
Gilbert Smith, (610) 525-4300
gsmith@shipleyschool.org

The Woodlynde School Corporation
445 Upper Gulph Road
Strafford, PA 19087
www.woodlynde.org
Kathleen E. V. Gallagher, (610) 687-9660
gallagher@woodlynde.org

Trinity Lutheran Church
West Avenue and Luther Lane
Wellsboro, PA 16901
Stephen A. Winsor, (570) 724-2316
winsors@ptdprolog.net

United Disabilities Services
1901 Olde Homestead Lane
P. O. Box 10485
Lancaster, PA 17605
www.udservices.org
Gerald W. Meck, (717) 397-1841
geraldm@udservices.org

United Jewish Community of Harrisburg
3301 North Front Street
Harrisburg, PA 17110
www.hbgjewishcommunity.com
David I. Weisberg, (717) 236-9555
d.weisberg@jewishfedhbg.org

United Way of Wyoming Valley
450 Citizens Bank Center
8 West Market Street
Wilkes-Barre, PA 18711
www.unitedwaywb.org
Kristen Huff, (570) 829-6711
khuff@epix.net

Upland Country Day School
420 West Street Road
Kennett Square, PA 19348
www.uplandcds.org
Donna H. Melton, (610) 444-3035
dmelton@uplandcds.org

Valley Forge Military Academy Foundation
1001 Eagle Road
Wayne, PA 19087
www.vfmac.edu
Saba Rodriguez, (610) 989-1327
srodriguez@vfmac.edu

Valley School of Ligonier
Box 616
Ligonier, PA 15658
www.valleyschoolofligonier.org
Brian Skwirut, (724) 238-6652
bskiwirut@valleyschoolofligonier.org

WPA K-12 Education Scholarship Fund
301 Chestnut Street
P. O. Box 600
Punxsutawney, PA 15767
Nancy Sprowls, (814) 774-4657
girardalliance@cs.com

Warren V. Musser Young Scholars Program
1700 West Thompson Street
Philadelphia, PA 19121
Suzette Baird, (215) 763-9077
suzette@gesuschool.org

Watsonstown Alliance Church of the Christian & Missionary Alliance Scholarship
P. O. Box 214
Watsonstown, PA 17777
Nancy Magargle, (570) 538-9276
WACCMAScholar@aol.com

West Chester Friends School
415 North High Street
West Chester, PA 19380
www.wcfriends.org
John Abernathy, (610) 696-2615
jabernathy@wcfriends.org

Westtown School
P. O. Box 1799
Westtown, PA 19395
www.westtown.edu
Lawrence Junkin, (610) 399-7910
chip.junkin@westtown.edu

William Penn Charter School
3000 West School House Lane
Philadelphia, PA 19144
www.penncharter.com
Matt Miller, (215) 844-3460
mmiller@penncharter.com

Winchester Thurston School
555 Morewood Avenue
Pittsburgh, PA 15213
www.winchesterthurston.org
Scot Lorenzi, (412) 578-7500
LORENZIS@winchesterthurston.org

Woods Services Foundation
P. O. Box 36
Langhorne, PA 19047
www.woods.org
Paula Roesler, (215) 750-4215
wsfoundation@woods.org

Wyoming Seminary
201 North Sprague Avenue
Kingston, PA 18704
www.wyomingseminary.org
John H. Shafer, (570) 270-2140
jshafer@wyomingseminary.org

Yeshiva Beth Moshe NEPA Jewish Educational Scholarship Fund
930 Hickory Street
Scranton, PA 18505
Rabbi Avrohom Pressman, (570) 346-1747
amp@ybm.edu

York Foundation—Opportunities Scholarship Fund
20 W. Market Street
York, PA 17401
www.yorkfoundation.org
Carolyn Steinhauer, (717) 848-3733
info@yorkfoundation.org

Young Scholars Foundation, Inc.
202 Park West Drive
Pittsburgh, PA 15275
William J. Wolf, (412) 788-7400

List of Educational Improvement Organizations

Effective July 1, 2003, through June 30, 2004

ASSET, Inc.
290 Corliss Street
Center City Terminal
Pittsburgh, PA 15220
www.assetinc.org
Reeny D. Davison, Ed.D., (412) 771-2121
rdavison@assetinc.org

Abington Heights Educational Improvement Organization, Inc.
218 East Grove Street
Clarks Summit, PA 18411
Dorrance R. Belin, Esq., (570) 585-1200
drb@icontech.com

Academy of Vocal Arts
1920 Spruce Street
Philadelphia, PA 19103
www.avaopera.org
K. James McDowell, (215) 735-1685

Adams County Arts Council
18 Carlisle Street, Suite 201
Gettysburg, PA 17325
Christina Glatfelter, (717) 334-5006
acac@desupernet.net

Adams County Business Education Partnership
Tri County Economic Education Foundation
18 Carlisle Street, Suite 203
Gettysburg, PA 17325
James E. Roach, (717) 334-8151
acbep@blazenet.net

Advanced Skills Learning Center
2101 Pennsylvania Avenue
York, PA 17404
www.advskills.org
Chuck Thomas, (717) 699-0832
cthomas@advskills.org

Allentown Art Museum
31 North Fifth Street
Allentown, PA 18101
www.allentownartmuseum.org
Deni Thurman-Eyer, (610) 432-4333
grants@allentownartmuseum.org

Alliance for Career Education
1027 Meadow View Drive
Apollo, PA 15613
allianceforcareereducation.org
Judith A. Kane, (724) 448-3700
jkan@ccac.edu

Alternative Community Resource Program
726 Franklin Street
Johnstown, PA 15901
www.acrp-inc.org
Frank Janakovic, (814) 536-5611
acrp@twd.net

Altoona Area School District Foundation
1415 Sixth Avenue
Altoona, PA 16602
www.aasdcad.com/aasdcad
Thomas M. Bradley, (814) 946-8424
tbradley@aasdcad.com

Americans for the Competitive Enterprise System, Inc.
(ACES)
1540 East Lake Road
P. O. Box 7244
Erie, PA 16510
www.aceserie.org
Dena Barker, (814) 456-7007
aces@erie.net

Armstrong County Educational Trust
81 Glade Drive
Kittanning, PA 16201
www.armstrongedutrust.org
Patricia L. Kirkpatrick, (724) 763-6316
elcaet@alltel.net

ArtsQuest
25 West Third Street, Suite 300
Bethlehem, PA 18015
www.artsquest.org
Ann Abadessa, (610) 332-1343
jparks@fest.org

BAVTS Bridges Foundation, Inc.
3300 Chester Avenue
Bethlehem, PA 18020
www.bavts.org/bridges
Donald L. Foellner, (610) 866-8013
foellnerd@bavts.org

Bach Choir of Bethlehem
423 Heckewelder Place
Bethlehem, PA 18018
www.bach.org
Bridget George, (610) 866-4382
bridget@bach.org

Baum School of Art
510 Linden Street
P. O. Box 653
Allentown, PA 18105
www.baumschool.org
Rudy S. Ackerman, Ed.D., (610) 433-0032
rudy@baumschool.org

Beaver County Educational Trust
855 Second Street
Beaver, PA 15009
Betty Sue Schaugency, (724) 774-4021
schaugency@basd.k12.pa.us

Bedford County Chamber Foundation
137 East Pitt Street
Bedford, PA 15522
www.bedfordcountychamber.org
Carol H. Snyder, (814) 623-2233
director@bedfordcountychamber.org

Bedford County Regional Education Foundation
18 North River Lane
Everett, PA 15537
Merle W. Helsel, (814) 652-9528
mhelsel@alleghany.edu

Beginning with Books
5920 Kirkwood Street
Pittsburgh, PA 15206
www.beginningwithbooks.org
Marti Beard, (412) 361-8560
beardm@mybwb.org

Berks Business Education Coalition
12 Commerce Drive
Wyomissing, PA 19610
www.berkscareerpathways.com
Edward L. Phillips, (610) 372-6114
wfbec@nni.com

Big Picture Alliance
501 Hicks Road
West Grove, PA 19390
www.bigpicturealliance.com
Jeffrey A. Seder, Esq., (610) 383-6000
jseder@eqb.com

Blair County Chamber Foundation, Inc.
Devorris Center for Business Development, Suite 12
3900 Industrial Park Drive
Altoona, PA 16602
www.blairchamber.com
David A. Gildea, (814) 943-8151
dgildea@blairchamber.com

BodyWorks Health Care Program for Young Adolescents
1608 Tiffany Ridge Road
Upper St. Clair, PA 15241
www.BodyWorks.org
Linda Serene, (412) 257-2520
LHSerene@aol.com

Boy Scouts of America—Moraine Trails Council
830 Morton Avenue Ext.
Butler, PA 16001
www.morainetrails.org
Richard A. Gilbertson, (724) 287-6791
rgilbertson@bsaemail.org

Boys & Girls Club of Allentown
720 N. 6th Street
Allentown, PA 18102
Patricia Johnson, (610) 432-9944
BGCALLEN@aol.com

Bradford County Regional Arts Council
601 Main Street
Towanda, PA 18848
www.bcrac.org
Brenda S. Thomas, (570) 268-2787
Brenda@bcrac.org

Business Industry School Partnership Program
3770 Ridge Pike, 2nd Floor
Collegeville, PA 19426
John A. Rule, (610) 489-3300
ruleja@aol.com

Byerschool Foundation
210 West Rittenhouse Square, Suite 400
Philadelphia, PA 19103
www.byerschool.org
Laurada Byers, (215) 790-2552
lbyers@byerschool.org

Camp Curtin Y.M.C.A.
123 Forster Street
Harrisburg, PA 17102
Joseph Summers, (717) 234-7058
joseph.summers@harrisburgymca.org

Carbon Lehigh Educational Options, Inc.
c/o Carbon Lehigh Intermediate Unit No. 21
4750 Orchard Road
Schnecksville, PA 18078
www.cliu.org
Robert J. Keegan, Jr., (610) 769-4111
keegan@cliu.org

Carnegie Museums of Pittsburgh
4400 Forbes Avenue
Pittsburgh, PA 15213
www.carnegiemuseums.org
Rosemary Mendel, (412) 578-2471
mendelr@carnegiemuseums.org

Center for School and Community Alliance
151 Maplehurst Drive
Aliquippa, PA 15001
Julie A. McKenzie, (724) 495-2814
tjkenzie@ccia.com

Central Bucks Healthier Community Team
252 West Swamp Road
Unit 4 Bailiwick
Doylestown, PA 18901
www.cbhct.com
Dawn Byers, (215) 489-9120
dbyers@dh.org

Central Northside Reading is Fundamental
d/b/a RIF Pittsburgh
415 East Ohio Street, Suite 325
Pittsburgh, PA 15212
Cynthia Krappweis, (412) 321-8022
cindyrif@aol.com

Central Pennsylvania Chapter ABC Apprenticeship Trust
P. O. Box 565
Milesburg, PA 16853
www.abccentralpa.org
David Remick, (800) 326-9674
abcdave@kcnet.org

Central Pennsylvania Youth Ballet
5 North Orange Street, Suite 3
Carlisle, PA 17013
www.cpyb.org
Kelly Dunn Fahnestock, (717) 245-1129
fahnestock@cpyb.org

Chester Education Foundation (CEF)
2600 West Ninth Street
Suite GS-100
Chester, PA 19103
www.chestereducation.org
Cheryl F. Cunningham, (610) 364-1212
cheryl@chestereducation.org

Children's Aid Home, Inc.
1476 North Center Avenue
Somerset, PA 15501
www.cahprogram.org
Robert C. Miller, (814) 443-1637
cahprograms@lenzlink.net

Children's Literacy Initiative
2314 Market Street, 3rd Floor
Philadelphia, PA 19103
www.cliontheweb.org
Brenda Hackett, (215) 561-4676
bhackett@cliontheweb.org

City Year, Inc.
2221 Chestnut Street, 2nd Floor
Philadelphia, PA 19103
www.cityyear.org
Joe Andolina, (267) 386-7011
jandolina@cityyear.org

Civic Light Opera
719 Liberty Avenue
Pittsburgh, PA 15222
www.pittsburghclo.org
Donald B. Arnheim, (412) 281-1264
darnheim@pittsburghclo.org

Clarion University Foundation, Inc.
840 Wood Street
Clarion, PA 16214
www.clarion.edu/foundation
David J. Katis, (814) 393-2572
dkatis@clarion.edu

Cocalico Education Foundation
P. O. Box 800
S. 4th Street
Denver, PA 17517
http://www.cocalico.state.pa.us
Sandy Leed, (717) 336-1411
sandy_leed@cocalico.state.pa.us

Communities in Schools of Philadelphia, Inc.
734 Schuylkill Avenue
JFK Center, Room 450
Philadelphia, PA 19146
www.cisphila.org
Tonya Mack, (215) 875-3171
tmack@cisphl.org

Communities in Schools of Pittsburgh—Allegheny County, Inc.
225 Boulevard of the Allies, Suite 404
Pittsburgh, PA 15222
www.cispac.org
Morton D. Stanfield, (412) 471-7911
cis@cispac.org

Communities in Schools of the Lehigh Valley, Inc.
P. O. Box 722
Allentown, PA 18105
www.cislv.org
William Leh, (610) 402-2697
leh@cislv.org

Community Action Committee of the Lehigh Valley, Inc.
651 East Broad Street
Bethlehem, PA 18018
www.caclv.org
Katharine Watt, (610) 691-5620
kwatt@caclv.org

Community Foundation of Upper St. Clair
2585 Washington Road, Suite 131A
Upper St. Clair, PA 15241
www.mainstreetUSC.com
Linda H. Serene, (412) 831-1107
LHSerene@aol.com

Community Progress Council, Inc.
226 East College Avenue
York, PA 17403
www.yorkcpc.org
Ray Madden, (717) 846-4600

Conestoga Valley Education Foundation
11 School Drive
Leola, PA 17540
Harry W. Wirth, (717) 898-8776
hwirth@earthlink.net

Crispus Attucks Association, Inc.
605 South Duke Street
York, PA 17403
www.crispusattucks.org
Chris Ginder, (717) 848-3610
cginder@crispusattucks.org

Cumberland County Historical Society
21 N. Pitt Street, P. O. Box 626
Carlisle, PA 17013
www.historicalsociety.com
Linda Witmer, (717) 249-7610
execdirector@historicalsociety.com

DeSales University
2755 Station Avenue
Center Valley, PA 18034
www.desales.edu
Parick Mulcahy, (610) 282-1100
Patrick.Mulcahy@desales.edu

Delaware County Historical Society
800 Manchester Avenue
Media, PA 19063
www.delcohistory.org/dchs
Jayne B. Garrison, (610) 892-1002
jgarrison@pit.edu

Discovery Center of Science and Technology
511 E. Third Street
Bethlehem, PA 18015
www.discovery-center.org
Linda L. Erickson, (610) 865-5010
ericksonl@discovery-center.org

DuBois Area Schools Educational Foundation
500 Liberty Boulevard
DuBois, PA 15801
Sharon L. Kirk, (814) 371-2700

Eagle Foundation
6746 Carlisle Pike
Mechanicsburg, PA 17050
Bobbi Jo Gabrielson, (717) 506-3351
bgabrielson@cvschools.org

Earth Force, Inc.
100 Greenwood Avenue
Wyncote, PA 19095
www.earthforce.org
Janet W. Starwood, (215) 884-9888
janet.starwood@verizon.net

East Coast Exotic Animal Rescue, Inc.
320 Zoo Road
Fairfield, PA 17320
www.exoticanimalrescue.50megs.com
Suzanna Murray, (717) 642-5229
eceaescue@innernet.net

Eastern Lebanon County High School Education Founda-
tion (ELCO)
180 ELCO Drive
Myerstown, PA 17067
www.elco.k12.pa.us
Ronald Hectrick, (717) 866-7117
ealbert@elco.k12.pa.us

EconomicsPA
123 North Market Street
Selingsgrove, PA 17810
www.EconomicsPA.org
Fritz M. Heinemann, (570) 372-9997
EconomicsPA@aol.org

Edinboro University Foundation
210 Meadville Street
Alumni House
Edinboro, PA 16444
Earl Jacobs, (814) 732-2992
ejacobs@edinboro.edu

Erie Times—News in Education, Inc.
205 West 12th Street
Erie, PA 16534
www.goerie.com/nie
Anna McCartney, (814) 870-1820
nie@timesnews.com

Falcon Foundation
105 East Evergreen Road
Lebanon, PA 17042
www.clsd.k12.pa.us
Lee A Stickler, (717) 273-2647
lstickler@cornwallmanor.org

Fay-Pen Economic Development Corporation
P. O. Box 2101
2 West Main Street
Uniontown, PA 15401
www.faypenn.org
Michael W. Krajovic, (724) 437-7913
mikek@faypenn.org

Foundation for Free Enterprise Education
2840 West 21th Street, Suite 2
Erie, PA 16506
www.pfew.org
John J. Trombetta, (814) 833-9576
info@pfew.org

Foundations, Inc.
Leeds Middle School
1100 E. Mt. Pleasant Avenue
Philadelphia, PA 19150
www.foundationsinc.oeg
Philip Esbrandt, (888) 977-5437
pesbrandt@foundationsinc.org

French Creek Council Learning For Life
1815 Robinson Road West
Erie, PA 16509
www.Learning-for-Life.org
James Wandling, (814) 868-5571
jwandling@bsamail.org

Fund for West Chester University
 Frederick Douglass Institute, 101 Filano Hall
 628 S. High Street
 West Chester, PA 19383
www.wcupa.edu/fdouglas
 C. James Trotman, (610) 436-2766
fdouglas@wcupa.edu

GPUAC/After School Activities Partnerships (ASAP)
 1207 Chestnut Street, Suite 700
 Philadelphia, PA 19107
www.phillyasap.org
 Marciene Mattleman, (215) 772-7356
mmattleman@phillyasap.org

Galaxy, Arts in Education Program
 Central Intermediate Unit No. 10
 417 E. Calder Way
 State College, PA 16801
www.galaxy.ciu10.com
 Jennene B. Lundy, (814) 863-4034
jbll24@psu.edu

Gateway Foundation
 9000 Gateway Campus Blvd.
 Monroeville, PA 15146
 Richard Domencic, (412) 373-5700
rdomencic@gator.gasd.k12.pa.us

George Junior Republic
 200 George Junior Road
 P. O. Box 1058
 Grove City, PA 16127
www.gjrinpa.org
 Pat J. Farrone, (724) 458-9330
svogel@gjrinpa.org

Governor Mifflin Education Foundation
 10 South Waverly Street
 Shillington, PA 19607
 Brian Hard, (610) 775-1461
ewolf@gmsd.k12.pa.us

Great Valley Community Education Foundation
 P. O. Box 987
 Frazer, PA 19355
www.gvcef.org
 Dr. David B. Morgan, III, (610) 889-2125
dmorgan@gvsd.org

Greater Chambersburg Chamber Foundation
 75 South Second Street
 Chambersburg, PA 17201
 Melissa J. Knepper, (717) 264-7101
mknepper@chambersburg.org

Greater Erie Action Committee
 18 West 9th Street
 Erie, PA 16501
www.gecac.org
 Linda Madara, (814) 870-5402
lmadara@gecac.org

Greater Hazleton Partners in Education
 1 South Church Street, Suite 200
 Hazleton, PA 18201
www.partnersined.org
 Edward S. Lyba, Ed.D., (570) 450-6314
edufirst@epix.net

Greater Philadelphia Urban Affairs Coalition/
 Philadelphia Reads
 1401 J. F. Kennedy Boulevard
 Suite 1000; MSB
 Philadelphia, PA 19102
www.phila.gov/philareads
 Thomas S. Jacoby, (215) 686-4450
tom.jacoby@phila.gov

H. Robert Davis Bubbler Athletic Foundation
 4 Forge Road
 Boiling Springs, PA 17007
www.bubblerfoundation.org
 Doris M. Bream, (717) 258-6484
foundation@mail.bubblers.k12.pa.us

Hampton Alliance for Educational Excellence
 P. O. Box 473
 Allison Park, PA 15101
 James R. Hune, CPA, (412) 635-9088
cscojrh@nauticom.net

Hanover Foundation for Excellence in Education, Inc.
 P. O. Box 342
 Hanover, PA 17331
www.hpsd.k12.pa.us/hanoverfoundation
 Russell Williams, (717) 630-4644

Harrisburg Area River Boat Society
 P. O. Box 910
 Harrisburg, PA 17108
www.HarrisburgRiverboat.com
 Dawson Flinchbaugh, (717) 234-6500
riverboat@paonline.com

Harrisburg Public School Foundation
 c/o Rhoads & Sinon LLP
 One Market Square
 Harrisburg, PA 17101
 James E. Ellison, Esq., (717) 237-6743
jellison@rhoads-sinon.com

Heritage Health Foundation, Inc.
 445 Fourth Street
 Braddock, PA 15104
www.hhfi.org
 Robert M. Grom, (412) 351-0535
rgrom@hhfi.org

High Tech High Philadelphia Foundation
 35 South 4th Street
 Philadelphia, PA 19106
www.HTHphila.org
 Scott Gordon, (215) 922-1902
Scott.Gordon@HTHPhila.org

Historic Bethlehem Partnership, Inc.
 459 Old York Road
 Bethlehem, PA 18018
www.historicbethlehem.org
 Charlene Donchez Mowers, (610) 882-0450
historicbethlehem@hotmail.com

Honesdale Communities That Care, Inc.
 P. O. Box 494
 Honesdale, PA 18431
 Margaret Ennis, (570) 229-0055
mennis@nep.net

Human Services Center Corporation
 519 Penn Avenue
 Turtle Creek, PA 15145
www.hsc-mvpc.org
 Alicia Andrews, (412) 829-7112
aandrews@hsc-mvpc.org

Inner-City Neighborhood Art House
6101 East Lake Road
Erie, PA 16511
www.eriebenedictines.org
Sr. Mary Lou Kownacki, OSB, (814) 455-5508
marylou@erie.net

Institute for Learning Abilities, Inc.
8235 Ohio River boulevard
Pittsburgh, PA 15202
www.hfi-pgh.org
Diana L. Fryer, (412) 766-9020
fryer.diana@hfi-pgh.org

Institute for the Development of Educational Alliances
(IDEALL)
625 Fountain Avenue
Lancaster, PA 17601
Sidney P. Marland III, (717) 735-7704
smarla@aol.com

International Educational & Community Initiatives
1100 East Erie Avenue
Philadelphia, PA 19124
www.communityacademy.org
Dave Hardy, (215) 425-1213
dhardycap@yahoo.com

Jump Street
123 Forster Street
Harrisburg, PA 17102
jumpstreetonline.org
Robert Welsh, (717) 238-1887
rwelsh@jumpstreetonline.org

Junior Achievement of Berks County, Inc.
601 Penn Street
Reading, PA 19601
www.jaberks.org
Robin Costenbader-Jacobson, (610) 373-3500
jaberks@talon.net

Junior Achievement of Central Pennsylvania
1322 Loop Road
Lancaster, PA 17601
centralpa.ja.org
Allen E. Tate, (717) 397-5779
atate@supernet.com

Junior Achievement of Delaware Valley
3001 Market Street, 3rd Floor
Philadelphia, PA 19104
www.jainpa.org
Paul A. Nye, (215) 895-6263
pny@ja.org

Junior Achievement of Northeastern PA
533 Main Street, 2nd Floor
Peckville, PA 18452
nepa.ja.org
Kathleen M. Matthews, (570) 489-9474
JrAchievement@aol.com

Junior Achievement of South Central PA
610 South George Street
York, PA 17403
www.jascpa.org
Lyn Buckler-Bergdoll, (717) 843-8028
lyn@jascpa.org

Junior Achievement of Southwest PA
120 Marshall Drive
Warrendale, PA 15086
www.jaswpa.org
S. Lee Strayer, (724) 772-5900
slees@jaswpa.org

Keystone SMILES Community Learning Center, Inc.
420 Main Street, Box 352
Knox, PA 16232
www.keyknox.com/smiles/index.htm
Joyce A. Fosdick, (814) 797-2127
JFOSDICK@keyknox.com

Kutztown Area School District Education Foundation
262 West Main Street
Kutztown, PA 19530
Dr. Brenda Winkler, (610) 683-7361
bwinkler@kasd.org

Lancaster Foundation for Educational Enrichment
445 N. Reservoir Street
Lancaster, PA 17602
Laura Sadler Olin, (717) 391-8660
lolin@lancaster.k12.pa.us

Landis Valley Associates
Landis Valley Museum
2451 Kissel Hill Road
Lancaster, PA 17601
www.landisvalleymuseum.org
Marilyn Monath, (717) 569-0401
marilynmonathLVA@aol.com

Lehigh Valley Business Education Partnership
2158 Avenue C, Suite 200
Bethlehem, PA 18017
William Bartle, (610) 266-7401
bbartle@lehighvalley.org

Manheim Central Foundation for Educational Enrichment
2934 Kings Lane
Lancaster, PA 17601
Jere A. Murphy, (717) 665-3422
murphyj@mcsd.k12.pa.us

Manheim Township Educational Foundation
P. O. Box 5134, School Road
Lancaster, PA 17606
Julia Merrill, (717) 333-1776
julia_merrill@mtwp.k12.pa.us

Martin Library Association
159 East Market Street
York, PA 17401
www.yorklibraries.org
Gail S. Baker, (717) 848-5211
gbaker@yorklibraries.org

Mon Valley Education Consortium
336 Shaw Avenue
McKeesport, PA 15132
www.mvec.org
Linda L. Croushore, Ed.D., (412) 678-9215
mvec@mvec.org

Mt. Lebanon Foundation for Education
P. O. Box 11664
Pittsburgh, PA 15228
www.mlfe.org
Gail Sieg, (412) 531-3608
gfsieg@adelphia.net

Muhlenberg College
2400 Chew Street
Allentown, PA 18104
www.Muhlenberg.edu
Deborah J. Kipp, (484) 664-3223
kipp@muhlenberg.edu

National Civil War Museum
1 Lincoln Circle at Reservoir Park
Harrisburg, PA 17105
www.nationalcivilwarmuseum.org
George E. Hicks, (717) 260-1861
ghicks@nationalcivilwarmuseum.org

National Foundation for Teaching Entrepreneurship
355 Fifth Avenue, Suite 1421
Pittsburgh, PA 15222
www.nfte.com
C. J. Meenan, (412) 456-4169
CJMeenan@nfte.com

Ned Smith Center For Nature and Art
P. O. Box 33
Millersburg, PA 17061
www.nedsmithcenter.org
Angela Troutman, (717) 692-3699
nedsmith@epix.net

Need in Deed
8616 Germantown Avenue, 2nd Floor Rear
Philadelphia, PA 19118
www.needindeed.org
Ena Rosen, (215) 242-6333
enarosen@needindeed.org

NetworkArts
P. O. Box 4066
Philadelphia, PA 19118
www.libertynet.org/networka
Joesy Stamm, (215) 592-1990
networka@libertynet.org

Northern Lebanon Education Foundation
345 School Drive
P. O. Box 100
Fredericksburg, PA 17026
www.norleb.k12.pa.us
Edward F. Lee, (717) 865-0541
elee@norleb.k12.pa.us

Northern Lehigh School District Educational Foundation
P. O. Box 244
Slatington, PA 18080
Lynn Sechler, (610) 351-5688
lynsekie@ptd.net

Northern Tier Industry Education Consortium, Inc.
P. O. Box 200
Dimock, PA 18816
www.ntiec.com
Marleen Butler, (570) 278-5038
ntiec@epix.net

Opera Outreach, Inc.
4108 McIntosh road
Harrisburg, PA 17112
Tanya Lear, (717) 657-1676

PASCD Education Foundation
47 Church Road
Malvern, PA 19355
www.pascd.org
David Morgan, (610) 610-8892
dmorgan@gvdsd.org

PSEA Education Foundation
400 North Third Street
P. O. Box 2225
Harrisburg, PA 17105
www.psea.org
Theresa Barnaby, (717) 255-7122
tbarnaby@psea.org

Panther Valley Foundation
P. O. Box 154
Summit Hill, PA 18250
www.panthervalleyfoundation.org
Richard Vermillion, (570) 645-8553
pvfoundation@hotmail.com

Penn Manor School District Education Foundation
P. O. Box 1001
Millersville, PA 17551
www.pmsd.k12.pa.us
Cindy Rhoades, (717) 872-9500
cindy.rhoades@pmsd.k12.pa.us

Pennsylvania Young Playwrights Program
7 Ben Franklin Parkway, 2nd Floor
Philadelphia, PA 19103
www.pypf.org
J. Eric Watson, (215) 665-9226
eric@pypf.org

People For People, Inc.
800 North Broad Street
Philadelphia, PA 19130
www.peopleforpeople.org
Louise V. Burroughs, (215) 235-2340
hhl32@peopleforpeople.org

Perseus House
1511 Peach Street
Erie, PA 16501
www.perseushouse.org
Steve Brockwell, (814) 480-5924
sbrockwell@perseushouse.org

Philadelphia Academies, Inc.
230 South Broad Street, Suite 1300
Philadelphia, PA 19102
www.academiesinc.org
Frank W. Remmey, (215) 546-6300
fremmey@academiesinc.org

Philadelphia Cares
100 South Broad Street, Suite 620
Philadelphia, PA 19110
www.philacares.com
Heather Baker, (215) 564-4544
heather@philacares.com

Philadelphia Education Fund
7 Ben Franklin Parkway
Philadelphia, PA 19103
www.philaedfund.org
Wesley C. Pugh, (215) 665-1400
nmcginley@philaedfund.org

Philadelphia Futures for Youth
230 South Broad Street, 7th Floor
Philadelphia, PA 19102
www.philadelphiafutures.org
Joan C. Mazzotti, (215) 790-1666
joanmazzotti@philadelphiafutures.org

Philadelphia Mural Arts Advocates
1729 Mount Vernon Street
Philadelphia, PA 19130
www.muralarts.org
Shira Kamm, (215) 685-0759
shira.kamm@phila.gov

Philadelphia Safe and Sound
2532-34 North Broad Street
Philadelphia, PA 19132
www.philasafesound.org
Mae E. O'Brien, (215) 226-2501
mobrien@philasafesound.org

Philadelphia Youth Network, Inc.
734 Schuylkill Avenue
J.F.K. Center, Room 580
Philadelphia, PA 19146
www.pyninc.org
Melissa Orner, (215) 875-3823
mjourner@pyninc.org

Phipps Conservatory, Inc.
One Schenley Park
Pittsburgh, PA 15213
www.phipps.conservatory.org
Rosanne Casciato, (412) 622-6915
casciatr@hiphps.pgh.pa.us

Pinchot Institute for Conservation
1616 P Street, Suite 100
Washington, DC 20036
www.pinchot.org
Jennifer Becker, (202) 797-6580
jbecker@pinchot.org

Pine Grove Area Educational Foundation
103 School Street
P. O. Box 98
Pine Grove, PA 17963
www.pgasd.com
Joanne Brindle, (570) 345-2731
jbrindle@pgasd.com

Pittsburgh Opera, Inc.
801 Penn Avenue
Pittsburgh, PA 15222
www.pghopera.org
John Federico, (412) 281-0912
jfederico@pittsburghopera.org

Pittsburgh Zoo & PPG Aquarium
One Wild Place
Pittsburgh, PA 15206
www.pittsburghzoo.com
Pat Hargest, (412) 365-2540
hargest@zoo.pgh.pa.us

ProJeCt of Easton, Inc.
320 Ferry Street
Easton, PA 18042
www.projecteaston.org
Patricia M. McCutcheon, (610) 258-4361
pmccutcheon@projecteaston.org

Project Forward Leap Foundation
1377-C Spencer Avenue
Lancaster, PA 17603
www.projectforwardleap.org
Melvin R. Allen, (717) 872-3849
Melvin.Allen@millersville.edu

Railroaders Memorial Museum, Inc.
1300 Ninth Avenue
Altoona, PA 16602
www.railroadcity.com
Scott G. Cessna, (814) 946-0834
director@railroadcity.com

Reading is Fundamental, Inc.
1825 Connecticut Avenue NW, No. 400
Washington, DC 20009
www.rif.org
Patricia A. Cornell, (202) 673-1604
cthomas@rif.org

Schuylkill Community Educational Council
1500 Rockwood Center, R 61 S
Pottsville, PA 17901
www.SchuylkillEducation.org
Tammy Spevak, (570) 385-5556
scec@edcouncil.com

SkillsUSA—VICA Council
1601 Union Boulevard
Allentown, PA 18109
www.skillsUSA-padistrictll.org
Jennifer Barner, (610) 439-1123
jbarner@skillsUSA-PAdistrict11.org

South Central Pennsylvania Educational Improvement
Program, Inc.
3211 North Front Street
Harrisburg, PA 17110
www.harrisburgregionalchamber.org
David E. Black, (717) 213-5020
dblack@hbgrc.org

Southern Alleghenies Museum of Art
P. O. Box 9
Loretto, PA 15940
www.sama-sfc.org
Dr. Michael A. Tomor, (814) 472-3920
mtomor@francis.edu

Spanish American Civic Association, Inc.
545 Pershing Avenue
Lancaster, PA 17602
www.sacapa.org
Carlos Graupera, (717) 397-6267
cgraupera@sacapa.org

Steel Industry Heritage Corporation
623 East Eighth Avenue
Homestead, PA 15120
www.riversofsteel.com
Doris J. Dyen, (412) 464-4020
ddyen@riversofsteel.com

Strawberry Hill Foundation, Inc.
1537 Mount Hope Road
Fairfield, PA 17320
www.strawberryhill.org
Robert Cardeiro, (717) 642-5840
rcardeiro@strawberryhill.org

Susan P. Byrnes Health Education Center, Inc.
515 South George Street
York, PA 17403
www.byrneshec.com
Katie Herrington, (717) 848-3064
kherrington@byrneshec.com

Susquehanna Art Museum
301 Market Street
Harrisburg, PA 17101
www.sqart.org
Robert P. Baker, (717) 233-8668
rbaker@sqart.org

The Arts Council of Erie
3 East 4th Street, Suite 10
Erie, PA 16507
www.artscounciloferie.org
Doug Irish-Hosler, (814) 452-3427
doughi@artscounciloferie.org

The Barnes Foundation
300 North Latch's Lane
Merion, PA 19066
www.barnesfoundation.org
Greg Coin, (610) 667-0290
gcoin@barnesfoundation.org

The Carl and Emily Weller Center for Health Education
325 Northampton Street
Easton, PA 18042
www.wellercenter.org
Melissa Lee, (610) 258-8500
mlee@wellercenter.org

The Community Foundation of Westmoreland County
111 Station Place, 101 Ehalt Street
Greensburg, PA 15601
www.cfwestmoreland.org
Bobbi Watt Geer, (724) 836-4400
bgeer@cfwestmoreland.org

The Delphi Project Foundation
2001 Market Street, Suite 1500
Philadelphia, PA 19103
Tammy Salvadore, (610) 640-1206
tammy.salvadore@rsli.com

The Meadville Area Chamber of Commerce Foundation
211 Chestnut Street
Meadville, PA 16335
Tracey C. Larson, (814) 337-8202
tlarson@iu05trc.iu5.org

The Philadelphia Foundation
1234 Market Street, No. 1800
Philadelphia, PA 19107
www.philafound.org
Meg Wise, (215) 563-6417
mwise@philafound.org

The Wildcat Foundation
500 South Broad Street
Mechanicsburg, PA 17055
www.wildcatfoundation.org
Alan Vandrew, (717) 691-4500
avandrew@mbgsd.org

Thiel College
75 College Avenue, Roth Hall
Greenville, PA 16125
www.thiel.edu
Roberta J. Leonard, (724) 589-2024
rleonard@thiel.edu

Tri-Chamber Foundation
Columbia-Montour Area Business & Education Program
5050 Sweppenheiser Drive
Bloomsburg, PA 17815
Robert E. Knorr, (570) 784-8040
rknorr@cmvt.tec.pa.us

TriCounty Area Chamber of Commerce Foundation, Inc.
135 High Street
Pottstown, PA 19464
tricountyareachamber.com
Dale Mahle, (610) 326-2900
dale@tricountyareachamber.com

Upper Merion Area Educational Foundation
435 Crossfield Road
King of Prussia, PA 19406
Michelle Franc, (610) 337-9468

Upper Merion Area Educational Foundation
435 Crossfield Road
King of Prussia, PA 19406
Robert S. Krutsick, (610) 337-9468
bkrutsick@aol.com

Utility Business Education Coalition, Inc.
11927 Riders Lane
Reston, VA 20191
www.ubec.org
Steven Kussmann, (703) 391-0033
skussmann@ubec.org

Vocational Administrators of Pennsylvania
23 Meadow Drive
Camp Hill, PA 17011
Jacqueline L. Cullen, (717) 761-3381
jackie@pava.org

WQLN/F.A.M.I.L.I.E.S. Turn On To Literacy
8425 Peach Street
Erie, PA 16509
www.wqln.org
Kimberly Fabrizio, (814) 864-3001
kfabrizio@wqln.org

Wagner Free Institute of Science
1700 West Montgomery Avenue
Philadelphia, PA 19121
www.wagnerfreeinstitute.org
Susan Glassman, (215) 763-6529
susang@wagnerfreeinstitute.org

Walnut Street Theatre
825 Walnut Street
Philadelphia, PA 19107
wstonline.org
Rebekah Sassi, (215) 574-3550
wstsassi@aol.com

Warwick Education Foundation
657 Laurel Avenue, Box 278
Lititz, PA 17543
www.warwick.k12.pa.us
Edward Albert, (717) 627-8430
ealbert@elco.k12.pa.us

Watson Institute
301 Camp Meeting Road
Sewickley, PA 15143
www.dtwatson.org
Raymond B. White, (412) 749-2850
raywh@dtwatson.org

Wayne County Community Foundation
214 Ninth Street
Honesdale, PA 18431
Warren Schloesser, (570) 251-9993
wccf@ezaccess.net

West Shore Foundation
P. O. Box 803
New Cumberland, PA 17070
www.wssd.k12.pa.us
Mary E. Riley, (717) 938-3778
mriley@wssd.k12.pa.us

Westmoreland Museum of American Art
221 North Main Street
Greensburg, PA 15601
www.wmuseumaa.org
Judith H. O'Toole, (724) 837-1818
jotoole@wmuseumaa.org

Whitaker Center for Science and the Arts
301 Market Street
Harrisburg, PA 17101
www.whitakercenter.org
Susan L. Stuart, CFRE, (717) 221-8201
sstuart@whitakercenter.org

White-Williams Scholars
215 South Broad Street, 5th Floor
Philadelphia, PA 19107
www.wwscholars.org
Amy T. Holdsmann, (215) 735-4480
aholdsman@wwscholars.org

Williamsport-Lycoming Foundation
220 West Fourth Street, 3rd Floor
Williamsport, PA 17701
www.wlffoundation.org
Kimberley Pittman-Schulz, (570) 321-1500
wlf@wlffoundation.org

World Affairs Council of Philadelphia
One South Broad Street, 2 Mezz.
Philadelphia, PA 19107
www.worldaffairscouncilofphila.org
Margaret H. Lonzetta, (215) 561-4700
mlonzetta@wacphila.org

World Affairs Council of Pittsburgh
501 Grant Street, Suite 1175
Pittsburgh, PA 15219
www.worldaffairspittsburgh.org
Annie Prucey, (412) 281-7028
anniem@worldaffairspittsburgh.org

YMCA of Pittsburgh
126 Nagel Road
Fombell, PA 16123
www.ycamps.org
Ford Parker, (724) 391-3328
ford@ycamps.org

York County Alliance for Learning
One Market Way East
York, PA 17401
www.ycal.org
Jim McGinnis, (717) 845-4585
ycal@ycal.org

York County Heritage Trust
250 E. Market Street
York, PA 17403
www.yorkheritage.org
Marilyn Prescott, (717) 848-1587
mprescott@yorkheritage.org

York County Library System
118 Pleasant Acres Road
York, PA 17402
www.yorklibraries.org
Gail S. Baker, (717) 848-5211
gbaker@yorklibraries.org

Young Scholars Educational Advancement, Inc.
150 South Warner Road, Suite 400
King of Prussia, PA 19406
Christopher J. Churchill, (610) 964-8440
cchurchill@tmghealth.com

[Pa.B. Doc. No. 04-182. Filed for public inspection January 30, 2004, 9:00 a.m.]

FY 2003 Emergency Responders Resources and Training Program

The Department of Community and Economic Development announces the availability of guidelines for the FY 2003 Emergency Responders Resources and Training Program (Program). The Program provides grants for facilities and equipment to support the operation of fire, ambulance and emergency medical services, operational support for fire, ambulance and emergency medical services that enhances the health, safety and welfare of citizens in this Commonwealth, emergency services training activities and projects that improve the stability and public safety of the community.

Assistance from the Program is in the form of grants from the Commonwealth to eligible applicants for projects which conform to the eligibility criteria detailed in the Program guidelines.

Grants are made in two funding rounds during the fiscal year. Application deadlines and tentative announcement dates for each round are outlined in the following chart.

<i>Funding Round</i>	<i>Application Deadline Date</i>	<i>Target Announcement Date</i>
Round 1	Friday, February 13, 2004	April 2004
Round 2	Friday, April 16, 2004	June 2004

Applications and requests for guidelines should be directed to the Department of Community and Economic Development, Customer Service Center, Commonwealth Keystone Building, 400 North Street, Fourth Floor, Harrisburg, PA 17120-0225, (800) 379-7448, ra-dcedcs@state.pa.us.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 04-183. Filed for public inspection January 30, 2004, 9:00 a.m.]

FY 2003 Local Municipal Resources and Development Program

The Department of Community and Economic Development announces the availability of guidelines for the FY 2003 Local Municipal Resources and Development Program (Program). The Program provides grants that promote community and/or economic development, improve the stability of the community, enhance the delivery of local government services through intermunicipal approaches to service delivery, improve existing and/or develop new civic, cultural, recreational, industrial, infrastructure and other facilities, assist in business retention, expansion, creation or attraction, promote the creation of jobs and employment opportunities and/or enhance the health, welfare and quality of life of citizens in this Commonwealth.

Assistance from the Program is in the form of grants from the Commonwealth to eligible applicants for projects which conform to the eligibility criteria detailed in the Program guidelines.

Grants are made in two funding rounds during the fiscal year. Application deadlines and tentative announcement dates for each round are outlined in the following chart.

<i>Funding Round</i>	<i>Application Deadline Date</i>	<i>Target Announcement Date</i>
Round 1	Friday, February 13, 2004	April 2004
Round 2	Friday, April 16, 2004	June 2004

Applications and requests for guidelines should be directed to the Department of Community and Economic Development, Customer Service Center, Commonwealth Keystone Building, 400 North Street, Fourth Floor, Harrisburg, PA 17120-0225, (800) 379-7448, ra-dcedcs@state.pa.us.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 04-184. Filed for public inspection January 30, 2004, 9:00 a.m.]

FY 2003 Urban Development Program

The Department of Community and Economic Development announces the availability of guidelines for the FY 2003 Urban Development Program (Program). The Program provides grants to promote and encourage the prosperous development of business in this Commonwealth, industry and commerce, to expand markets and promote and develop new markets for products made in this Commonwealth, encouraging the location and development of new business, industry and commerce within this Commonwealth, to aid in restoring employment in communities affected by unemployment and to assist persons, firms, associations, political subdivisions, corporations, cooperative associations and other organizations to assist various public safety, recreation, senior citizens or other community service organizations.

Assistance from the Program is in the form of grants from the Commonwealth to eligible applicants for projects which conform to the eligibility criteria detailed in the Program guidelines.

Program grants are made in two funding rounds during the fiscal year. Application deadlines and tentative announcement dates for each round are outlined in the following chart.

<i>Funding Round</i>	<i>Application Deadline Date</i>	<i>Target Announcement Date</i>
Round 1	Friday, February 13, 2004	April 2004
Round 2	Friday, April 16, 2004	June 2004

Applications and requests for guidelines should be directed to the Department of Community and Economic Development, Customer Service Center, Commonwealth Keystone Building, 400 North Street, Fourth Floor, Harrisburg, PA 17120-0225, (800) 379-7448, ra-dcedcs@state.pa.us.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 04-185. Filed for public inspection January 30, 2004, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Pennsylvania Heritage Parks Program; Fiscal Year 2004-2005 Grant Application Announcement

The Department of Conservation and Natural Resources (Department) announces that applications are being accepted for grants to be funded from the 2004-2005 fiscal year Pennsylvania Heritage Parks Program (Program). Funding is subject to an appropriation being made available to the Department for the Program in the upcoming 2004-2005 fiscal year budget. The deadline for submission of applications is Friday, May 21, 2004. Applications must be received by 5 p.m. in the Harrisburg Central Office of the Department's Bureau of Recreation and Conservation. Applications received after this deadline will not be considered for funding. Fax submissions are not acceptable.

It is the intent of the Program to create a system of State Heritage Areas that will preserve and interpret the

significant contributions that certain regions of this Commonwealth have made to the industrial heritage of the State and Nation. 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 11 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, the Rivers of Steel Heritage Area and the Schuylkill River Heritage Corridor.

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 Department:

- Must have a strong industrial theme based on one or more of the following industries: coal, oil, iron and steel, lumber, textile, transportation, machine and foundry, and agriculture.
- Must be multicounty in size.
- Must have natural, cultural, historic, recreational and scenic resources of State or National significance.
- Have a broad-based public and private partnership and regional coalition supporting the project.
- 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 Department. Since each project type has a specific set of application forms and instructions, 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 Department may best accommodate their needs. TTY or TDD users should call (800) 654-5984.

MICHAEL F. DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 04-186. Filed for public inspection January 30, 2004, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

Southeast Region: Water Management Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0050547	Indian Run Village Mobile Home Park	Chester County West Brandywine Township	Indian Run	Y
PA0055344	Upper Makefield Township 1076 Eagle Road Newtown, PA 18940	Bucks County Upper Makefield Township	UNT to Jericho Creek	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0061905 Minor Sewage	Sunoco, Inc. HC 2-Star Route Jim Thorpe, PA 18229	Carbon County Penn Forest Township	Stoney Creek 2B	Y
PA0031267	Tri-Valley School District Hegins-Hubley Elementary School 110 West Main Street Valleyview, PA 17983	Hegins Township Schuylkill County	Pine Creek 6C	Y
PA0063231	Lehigh Township Municipal Authority 1069 Municipal Road Walnutport, PA 18088	Lehigh Township Northampton County	Indian Creek 2C	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0113913 SF	Irvin G. Hoover Irvin's Country Tinware Heister Valley Road R. R. 1, Box 73 Mt. Pleasant Mills, PA 17853	Snyder County West Perry Township	Unnamed tributary of North Branch Mahatango Creek 6C	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0025739	Borough of Port Allegany One Maple Street Allegany, PA 16743-1318	Port Allegany McKean County	Allegheny River 16-C	Y

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

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

PA0053538, Industrial Waste, **Merck and Company, Inc.**, P. O. Box 4, 770 Sumneytown Pike, West Point, PA 19486-0004. This application is for renewal of an NPDES permit to discharge stormwater from industrial activities in Upper Gwynedd Township, **Montgomery County**. This is an existing discharge to unnamed tributaries to Wissahickon and Towamencin Creeks.

This notice reflects changes to the notice published at 32 Pa.B. 2773 (June 8, 2002).

The receiving stream is classified for WWF, aquatic life, water supply and recreation. The point of discharge is to a dry swale.

The proposed effluent limits for Outfall 001, from detention basin no. 4 to an unnamed tributary to Wissahickon Creek, based on maximum flow of 6.4 mgd, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>
Iron, Total	Monitor
Manganese, Total	Monitor
Zinc, Total	Monitor
Phosphorus as P	Monitor

The proposed effluent limits for Outfall 002 from detention basin no. 2 to an unnamed tributary to Towamencin Creek, based on a maximum flow of 10.04 mgd, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>
Iron, Total	Monitor
Manganese, Total	Monitor
Zinc, Total	Monitor
Phosphorus as P	Monitor

The proposed effluent limits for Outfall 003 from detention basin no. 3 to an unnamed tributary to Wissahickon Creek, based on stormwater and groundwater base flow, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>
Iron, Total	Monitor
Manganese, Total	Monitor
Zinc, Total	Monitor
Phosphorus as P	Monitor
pH	Monitor

The EPA waiver is in effect.

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

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

PA0021709, Sewage, **Borough of Birdsboro**, 202 East Main Street, Birdsboro, PA 19508. This facility is in Birdsboro Borough, **Berks County**.

Description of activity: Renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Hay Creek, is in watershed 3-C and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pottstown Borough is on the Schuylkill River, approximately 10 miles downstream. The discharge is not expected to affect the water supply.

The proposed Interim effluent limits for Outfall 001 for a design flow of 1.0 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	9.0		18
(11-1 to 4-30)	20		40
Total Residual Chlorine	0.50		1.60
Total Copper	0.039		0.078
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		10,000/100 ml as a geometric average	

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

The EPA waiver is not in effect.

PA0036889, Sewage, **Reading Township Municipal Authority**, 5500 Carlisle Pike, New Oxford, PA 17350. This facility is in Reading Township, **Adams County**.

Description of activity: Renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving waters, Conewago Creek, is in watershed 7-F and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Wrightsville Water Supply Co. is on the Susquehanna River, approximately 57 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on an annual average flow rate of 0.33 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	20	32	XXX	40
(11-1 to 4-30)	25	40	XXX	50
Total Suspended Solids	30	45	XXX	60
Total Phosphorus	2.0	XXX	XXX	4.0
NH ₃ -N				
(5-1 to 10-31)	7.0	XXX	XXX	14
(11-1 to 4-30)	Monitor and Report	XXX	XXX	XXX
Total Copper	0.03	XXX	0.06	0.075
Dissolved Oxygen		minimum of 5.0 at all times		
pH		from 6.0 to 9.0 inclusive		
Fecal Coliform				
(5-1 to 9-30)		200/100 ml as a geometric average		
(10-1 to 4-30)		24,000/100 ml as a geometric average		

Individuals may make an appointment to review the Department 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.

PA0001899, Industrial Waste, SIC, 2082, **Jones Brewing Company**, P. O. Box 746, Smithton, PA 15479. This application is for renewal of an NPDES permit to discharge treated process water, cooling water and stormwater from a brewery in Smithton Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Youghiogheny River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Westmoreland County Municipal Authority at McKeesport, 25 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.041 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
BOD ₅	31	81	61	158	
TSS	44	132	86	259	
Oil and Grease			15		30
Fecal Coliform (5-1 to 9-30)	(#/100)		200	1,000	
Fecal Coliform (10-1 to 4-30)				2,000	
TRC			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: existing discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
	Uncontaminated stormwater runoff.				

Outfall 003: existing discharge, design flow of 0.11 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Temperature (°F)					110
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PAS216105, Industrial Waste, SIC, 5032, **Lehigh Cement Company**, 3111 Water Street, Richmond, VA 23223. This application is for issuance of an NPDES permit to discharge untreated stormwater from the Aliquippa Terminal in the City of Aliquippa, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the ARCO Chemical Company at Monaca, approximately 9.0 miles below the discharge point.

Outfall 001: new discharge of stormwater runoff.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30		60
Oil and Grease	Monitor and Report				
Aluminum	Monitor and Report				
Barium	Monitor and Report				
Boron	Monitor and Report				
Iron	Monitor and Report				
Copper	Monitor and Report				
Lead	Monitor and Report				
Nickel	Monitor and Report				

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<i>Parameter</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Zinc				Monitor and Report	
Selenium				Monitor and Report	
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: The flow rate at each outfall is dependent on the intensity of rainfall.

Outfall 002: new discharge of stormwater runoff.

<i>Parameter</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30		60
Oil and Grease				Monitor and Report	
Aluminum				Monitor and Report	
Barium				Monitor and Report	
Boron				Monitor and Report	
Iron				Monitor and Report	
Copper				Monitor and Report	
Lead				Monitor and Report	
Nickel				Monitor and Report	
Zinc				Monitor and Report	
Selenium				Monitor and Report	
pH	not less than 6.0 nor greater than 9.0				

Outfall 003: new discharge of stormwater runoff.

<i>Parameter</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30		60
Oil and Grease				Monitor and Report	
Aluminum				Monitor and Report	
Barium				Monitor and Report	
Boron				Monitor and Report	
Iron				Monitor and Report	
Copper				Monitor and Report	
Lead				Monitor and Report	
Nickel				Monitor and Report	
Zinc				Monitor and Report	
Selenium				Monitor and Report	
pH	not less than 6.0 nor greater than 9.0				

Outfall 004: new discharge of stormwater runoff.

<i>Parameter</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30		60
Oil and Grease				Monitor and Report	
Aluminum				Monitor and Report	
Barium				Monitor and Report	
Boron				Monitor and Report	
Iron				Monitor and Report	
Copper				Monitor and Report	
Lead				Monitor and Report	
Nickel				Monitor and Report	
Zinc				Monitor and Report	
Selenium				Monitor and Report	
pH	not less than 6.0 nor greater than 9.0				

Outfall 005: new discharge of stormwater runoff.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30		60
Oil and Grease				Monitor and Report	
Aluminum				Monitor and Report	
Barium				Monitor and Report	
Boron				Monitor and Report	
Iron				Monitor and Report	
Copper				Monitor and Report	
Lead				Monitor and Report	
Nickel				Monitor and Report	
Zinc				Monitor and Report	
Selenium				Monitor and Report	
pH	not less than 6.0 nor greater than 9.0				

Outfall 006: new discharge of stormwater runoff.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30		60
Oil and Grease				Monitor and Report	
Aluminum				Monitor and Report	
Barium				Monitor and Report	
Boron				Monitor and Report	
Iron				Monitor and Report	
Copper				Monitor and Report	
Lead				Monitor and Report	
Nickel				Monitor and Report	
Zinc				Monitor and Report	
Selenium				Monitor and Report	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0021822, Sewage, **Borough of Berlin**, 700 North Street, P. O. Box 115, Berlin, PA 15530-0115. This application is for renewal of an NPDES permit to discharge treated sewage from the Berlin Borough STP in Berlin Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Buffalo Creek, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ohiopyle Borough Water Works.

Outfall 001: existing discharge, design flow of 0.8 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 ₅				
(5-1 to 10-31)	15	22.5		30
(11-1 to 4-30)	25	37.5		60
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	3.0	4.5		6.0
(11-1 to 4-30)	7.5	11.3		15.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.1			0.3
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0028193, Sewage, **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237. This application is for renewal of an NPDES permit to discharge treated sewage from Longvue No. 2 in Ross Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Girty's Run, 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 West View Township Municipal Water Authority.

Outfall 001: existing discharge, design flow of 0.1 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 ₅	10	15		20
Suspended Solids	25	38		50
Ammonia Nitrogen				
(5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	3.0	4.5		6.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.0
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			
Copper				
(1st Month to 36 Month)	0.031		0.062	0.078
(37th Month to Expiration)	0.025		0.050	0.063

The EPA waiver is in effect.

PA0029785, Sewage, **Redbank Valley School District**, 920 Broad Street, New Bethlehem, PA 16242. This application is for renewal of an NPDES permit to discharge treated sewage from Mahoning Elementary School in Mahoning Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as tributary of Mahoning Creek, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania American Water.

Outfall 001: existing discharge, design flow of .005 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 ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5.5			11.0
(11-1 to 4-30)	16.0			32
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,500/100 ml as a geometric mean			
Total Residual Chlorine	0.8			1.9
Dissolved Oxygen	not less than 4 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0036307, Sewage, **Municipal Authority of the Township of Robinson**, P. O. Box 15539, Pittsburgh, PA 15244-0539. This application is for renewal of an NPDES permit to discharge treated sewage from Moon Run STP in Robinson Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Moon Run, 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 Sewickley Water Authority.

Outfall 001: existing discharge, design flow of .250 mgd. The permittee is authorized to discharge during the period from effective date through the 59th month of the permit term or the date the facility upgrade is completed and operational, whichever occurs first.

<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 ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
Fecal Coliform			Monitor and Report	

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
Dissolved Oxygen	Monitor and Report			
pH	not less than 6.0 nor greater than 9.0			

Outfall 001: existing discharge, design flow of .250 mgd. The permittee is authorized to discharge during the period from the beginning of the 60th month of the permit term or the date the facility upgrade is completed and operational, whichever occurs first, through expiration date.

<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 ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.1	3.2		4.2
(11-1 to 4-30)	4.6	6.9		9.2
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.08			0.19
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0040843, Sewage, **Lutheran Camp Association**, P. O. Box 245, Jennerstown, PA 15547. This application is for renewal of an NPDES permit to discharge treated sewage from Camp Sequanota Sewage Treatment Plant in Jenner Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Pickings 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 Saltsburg Municipal Waterworks on the Conemaugh River.

Outfall 001: existing discharge, design flow of 0.015 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 ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	6.5			13.0
(11-1 to 4-30)	19.5			39.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,500/100 as a geometric mean			
Total Residual Chlorine	1.0			2.5
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0041297, Sewage, **Uniontown Area School District**, 23 East Church Street, Uniontown, PA 15401. This application is for renewal of an NPDES permit to discharge treated sewage from the Menallen Elementary School STP in Menallen Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Jennings Run, 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 California Water Company.

Outfall 001: existing discharge, design flow of .0071 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 ₅	10			20
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	4.0			8.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.10			0.24
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0041301, Sewage, **Uniontown Area School District**, 23 East Church Street, Uniontown, PA 15401. This application is for renewal of an NPDES permit to discharge treated sewage from the A. J. McMullen Middle School STP in Henry Clay Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Beaver Creek, 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 North Fayette County Municipal Authority.

Outfall 001: existing discharge, design flow of .004 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 ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.2			4.4
(11-1 to 4-30)	4.5			9.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.21			0.50
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.

PA0093556, Sewage, **North Union Township Municipal Services Authority**, 6 South Evans Station Road, Lemont Furnace, PA 15456. This application is for renewal of an NPDES permit to discharge treated sewage from the Bethel Court Plan Sewage Treatment Plant in North Union Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Redstone Creek, 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 California Water Company on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.00714 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 ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	7.0			14.0
(11-1 to 4-30)	21.0			42.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0093891, Sewage, **Deer Creek Drainage Basin Authority**, P. O. Box 148, 945 Little Deer Creek Road, Russelton, PA 15076. This application is for renewal of an NPDES permit to discharge treated sewage from the Hampshire Estates STP in West Deer Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Dawson Run, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Fox Chapel Water Authority.

Outfall 001: existing discharge, design flow of .04 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 ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.5			5.0
(11-1 to 4-30)	5.0			10.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	.11			.26
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.

PA0097713, Sewage, **Gilmary Diocesan Center Catholic Institute of Pittsburgh**, 601 Flaugherty Run Road, Coraopolis, PA 15108-3899. This application is for renewal of an NPDES permit to discharge treated sewage from the Gilmary Diocesan Center Sewage Treatment Plant in Findlay Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Flaugherty Run, 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 Midland Borough Municipal Authority—Ohio River.

Outfall 001: existing discharge, design flow of 0.013875 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 ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	5.5			11.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.2			0.4
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0216381, Sewage, **Holly Hill, Inc.**, P. O. Box 801, Warrendale, PA 15095. This application is for renewal of an NPDES permit to discharge treated sewage from the Holly Hill Mobile Home Park Sewage Treatment Plant in New Sewickley Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Crows Run, 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 Midland Borough Water Authority on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0178 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 ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	20			40
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	20,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0252549, Sewage, **Sutersville-Sewickley Municipal Sewage Authority**, 320 Municipal Avenue, Sutersville, PA 15083. This application is for issuance of an NPDES permit to discharge treated sewage from the Sutersville-Sewickley Municipal Sewage Authority Wastewater Treatment Plant in Sewickley Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Youghiogheny 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 Westmoreland County Municipal Authority McKeesport.

Outfall 001: new discharge, design flow of 0.19 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 ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	36,000/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0252603, Sewage, **Cecil Township Municipal Authority**, 3599 Millers Run Road, Suite 104, Cecil, PA 15321. This application is for issuance of an NPDES permit to discharge treated sewage from the Millers Run Wastewater Treatment Plant in Cecil Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Millers Run, 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 West View Borough Municipal Water Authority on the Ohio River.

Outfall 001: new discharge, design flow of 0.52 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 ₅ (5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	4.5	6.8		9.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0239291, Sewage, **Wintergreen Animal Hospital, John C. Lutz**, 8439 Wattsburg Road, Erie, PA 16509. The proposed facility is in Greene Township, **Erie County**.

Description of Proposed Activity: New NPDES permit to discharge treated sanitary sewage from a small flow treatment facility serving the proposed Wintergreen Animal Hospital in Greene Township, Erie County.

The receiving stream, unnamed tributary of Four Mile Creek, is in watershed 15-FM and classified for WWF, MF, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, sulfate, chloride and phenolics, there is no existing/proposed downstream potable water supply to consider until Lake Erie.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0008 MGD:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report		
CBOD ₅	10		20
Total Suspended Solids	20		40
NH ₃ -N	6.0		12
Dissolved Oxygen		minimum of 3.0 mg/l at all times	
Phosphorus as "P"	1.0		
Total Residual Chlorine	1.4		3.3
Fecal Coliform		200/100ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

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

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

WQM Permit No. 090341 Amendment, Sewerage, **Erickson Retirement Community**, 703 Maiden Choice Lane, Baltimore, MD 21228. This proposed facility is in Warminster Township, **Bucks County**.

Description of Proposed Action/Activity: Amending existing permit.

WQM Permit No. 2392408 Amendment, Sewerage, **Middletown Township Sewer Authority**, 27 N. Pennell Road, Lima, PA 19037. This proposed facility is in Middletown Township, **Delaware County**.

Description of Proposed Action/Activity: Amending existing permit.

WQM Permit No. 4603421, Sewerage, **Franconia Township Sewer Authority**, 671 Allentown Road, P. O. Box 128, Franconia, PA 18924. This proposed facility is in Franconia Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a new sanitary pump extension with gravity and force main lines.

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

WQM Permit No. 6604201, Industrial Waste, **Procter & Gamble Paper Products Company**, P. O. Box 32, Route 87, Mehoopany, PA 18629-0032. This proposed facility is in Washington Township, **Wyoming County**.

Description of Proposed Action/Activity: This project consists of the installation of a dissolved air floatation system along with the installation of polymer addition for coagulation and flocculation of suspended solids, carbon dioxide addition for pH adjustment and sodium sulfite addition for dechlorination for the Mehoopany facility.

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

WQM Permit No. 2104401, Sewerage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013-1100. This proposed facility is in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction of a pump station to serve The Commons at Parker Springs.

WQM Permit No. 6770405, Amendment 04-1, Sewerage, **York Township**, 25 Oak Street, York, PA 17402-4972. This proposed facility is in York Township, **York County**.

Description of Proposed Action/Activity: Replacement of the Tyler Run Interceptor.

WQM Permit No. 3604402, Sewerage, **Ephrata Borough**, 114 East Main Street, Ephrata, PA 17522. This proposed facility is in Clay Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction of the Clearview Gardens Pumping Station.

WQM Permit No. 3604402, Sewerage, **Ephrata Borough**, 113 East Main Street, Ephrata, PA 17522. This proposed facility is in Clay Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction of the Clearview Gardens sewer extension and pumping station.
Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

WQM Permit No. 1171403-A3, Sewerage, **Cambria Township Sewer Authority**, P. O. Box 247, Revloc, PA 15948. This proposed facility is in Cambria Township, **Cambria County**.

Description of Proposed Action/Activity: Application for the modification and operation of the Colver Sewerage Treatment Plant.

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

WQM Permit No. 1185402-A4, Sewerage, **Ebensburg Borough Municipal Authority**, 300 West High Street, Ebensburg, PA 15931. This proposed facility is in Cambria Township, **Cambria County**.

Description of Proposed Action/Activity: Application for the modification and operation of the Ebensburg Borough Wastewater Treatment Plant.

PENNVEST has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

WQM Permit No. 2003432, Sewerage, **Marcus M. Schwartz**, 20742 Beaver Center Road, Conneautville, PA 16406. This proposed facility is in Conneaut Township, **Crawford County**.

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

WQM Permit No. 2003433, Sewerage, **Mose I. Schwartz**, 20704 Beaver Center Road, Conneautville, PA 16406. This proposed facility is in Conneaut Township, **Crawford County**.

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

WQM Permit No. 1004401, Sewerage, **John T. Wolfe**, 102 Grace Drive, Cranberry Township, PA 16066. This proposed facility is in Cranberry Township, **Butler County**.

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

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Department Protocol (Y/N)</i>
PAG136193	North Irwin Borough 21 Second Street Irwin, PA 15642	Westmoreland	North Irwin Borough	Y
PAG136353	Cambria County 200 Center Street Ebensburg, PA 15931	Cambria	Cambria County	Y

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

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>
PAI033603008	East Earl Township 4610 Division Highway East Earl, PA 17519	Lancaster	East Earl Township	UNT to Black Creek HQ
PAI033103002	Stephen Stoltzfus R. D. 2 Box 213 Huntingdon, PA 16652	Huntingdon	Jackson Township	Herod Run HQ-CWF

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

Columbia County Conservation District: 702 Sawmill Rd., Suite 204, Bloomsburg, PA 17815, (570) 784-1310.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041904001	Department of Transportation P. O. Box 218 Montoursville, PA 17754	Columbia	Benton Township	West Creek HQ-CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

MS4 Notices of Intent Received

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Department Protocol (Y/N)</i>
PAG136353	Cambria County 200 Center Street Ebensburg, PA 15931	Cambria	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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Permit No. 4604501 , Public Water Supply.
Applicant Pennsylvania Suburban Water Company
Borough Collegeville

Responsible Official	Joseph Ritter 762 W. Lancaster Avenue Bryn Mawr, PA 19010
Type of Facility	PWS
Application Received Date	January 6, 2004
Description of Action	Install drum of phosphate inhibitor and metering pump.
Permit No. 4604502 , Public Water Supply.	
Applicant	Pennsylvania Suburban Water Company
Township	Perkiomen
Responsible Official	Karl Kyriss 762 W. Lancaster Avenue Bryn Mawr, PA 19010
Type of Facility	PWS
Consulting Engineer	CET Engineering Services 1240 N. Mountain Road Harrisburg, PA 17112
Application Received Date	January 13, 2004
Description of Action	Construction of arsenic removal facilities.

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

Permit No. 3603513 , Public Water Supply.	
Applicant Ridgewood Manor Inc.	
Municipality Rapho Township	
County Lancaster	
Responsible Official	Richard E. Haldeman, Owner/President 101 Ridgewood Manor Inc. Manheim, PA 17545
Type of Facility	PWS
Consulting Engineer	David J. Gettle Kohl Bros., Inc. P. O. Box 350 Myerstown, PA 17067
Application Received Date	December 17, 2003

Description of Action Proposal is for a new source of supply known as well no. 3 to augment the existing sources of supply. No changes in treatment is proposed.

Permit No. 3603514, Public Water Supply.
 Applicant **Columbia Water Company**
 Municipality Columbia Borough
 County **Lancaster**
 Responsible Official Donald Nikolaus, President
 220 Locust Street
 Columbia, PA 17512

Type of Facility PWS
 Consulting Engineer David T. Lewis, P. E.
 ARRO Consulting Inc.
 270 Granite Run Drive
 Lancaster, PA 17601

Application Received Date December 26, 2003

Description of Action Modification to the new Lockhard's Hollow booster pump station which will include the installation of additional pumps and controls. The project will also include the construction of a new 1 mg storage tank that will serve the new Columbia Pressure Zone.

Permit No. 6704501, Public Water Supply.
 Applicant **Exelon Generation**
 Municipality Delta Borough
 County **York**
 Responsible Official Gordon L. Johnston, Nuclear
 Plant Manager
 1848 Lay Road
 Delta, PA 17314

Type of Facility PWS
 Consulting Engineer Walter J. Bieter, P. E.
 Sargent & Lundy
 1313 North Market Street
 Wilmington, DE 19801

Application Received Date January 5, 2004

Description of Action Construction of modifications to the disinfection system and raw water instrumentation.

Permit No. 0504501, Public Water Supply.
 Applicant **Saxton Borough Municipal Authority**
 Municipality Saxton Borough
 County **Bedford**
 Responsible Official Steve Stoudnour, Chairperson
 9th and Spring St.
 Saxton, PA 16678-1213

Type of Facility PWS

Consulting Engineer Mark V. Glenn, P. E.
 Gwin, Dobson & Foreman, Inc.
 3121 Fairway Dr.
 Altoona, PA 16602-4475

Application Received Date January 6, 2004

Description of Action Construction of a new 300,000 gpd membrane filtration system to replace the existing treatment facility.

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

Permit No. Minor Amendment, Public Water Supply.
 Applicant **Vernon S. Pettengill**
Hidden Valley Mobile Home Park
 Box 133
 Linden, PA 17744

Township Woodward Township, **Lycoming County**

Responsible Official Vernon S. Pettengill
 Hidden Valley Mobile Home Park
 Box 133
 Linden, PA 17744

Type of Facility PWS
 Consulting Engineer Richard W. Marcinkevage, P. E.
 431 S. Jones Street
 Lock Haven, PA 17745

Application Received Date January 12, 2004

Description of Action Deepening of existing well no. 1.

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

Permit No. 2404501, Public Water Supply.
 Applicant **Ridgway Township Municipal Authority**

Township or Borough Ridgway Township, **Elk County**
 Responsible Official Edward P. LaValle, Chairperson

Type of Facility PWS
 Consulting Engineer David A. Hegemann, Ph.D., P. E.
 Hegemann & Wray Consulting Engineers
 429 Park Ave.
 Cresson, PA 16630

Application Received Date January 12, 2004

Description of Action Water system improvements to existing permitted PWS. Project includes installation of 50,000 lf water main; 208,000-gallon and 278,000-gallon water storage tanks and pumping station upgrades.

Central Office: Bureau Director, Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467.

Permit No. 996521, Public Water Supply.

Applicant **Northeastern Water Services, Inc.**
 Township or Borough Endicott, NY
 Responsible Official Douglas L. Windover, President
 Type of Facility Out-of-State Bottled Water System
 Application Received Date January 9, 2004
 Description of Action Applicant requesting Department approval to sell bottled water in this Commonwealth under the brand name Culligan Purified Drinking Water.

Permit No. 9996522, Public Water Supply.

Applicant **Alaska Beverages, Inc.**
 Township or Borough Saint-Jean-Sur-Richelieu, Quebec, Canada
 Responsible Official Katya Landry, General Manager
 Type of Facility Out-of-State Bottled Water System
 Application Received Date January 9, 2004
 Description of Action Applicant requesting Department approval to sell bottled water in this Commonwealth under the brand name Laska Natural Spring Water.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. Minor Amendment.

Applicant **Pennsylvania American Water Company**
 Township or Borough Lehman Township, **Pike County**
 Responsible Official William C. Kelvington, V. P. Operations
 800 West Hersheypark Drive
 Hershey, PA 17033
 (717) 531-3308
 Type of Facility Community Water System
 Application Received Date December 19, 2003
 Description of Action Application for transfer of PWS operations permits for Rustic Acres development from Rustic Acres Water Association to Pennsylvania American Water—Lehman Pike System.

Application No. Minor Amendment.

Applicant **Pennsylvania Suburban Water Company**
 Township or Borough Moore Township, **Northampton County**
 Responsible Official Mark J. Kropilak, V. P. and Gen. Counsel
 Pennsylvania Suburban Water Company
 762 West Lancaster Avenue
 Bryn Mawr, PA 19010
 (610) 645-1080
 Type of Facility Community Water System
 Application Received Date January 14, 2004
 Description of Action Application to transfer the PWS Operations Permit No. 3480029, issued December 10, 1993, for Evenwood Acres from The Ariana Corporation to Pennsylvania Suburban Water Company.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a Site-Specific Standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation

to a Site-Specific Standard or as a special industrial area, the municipality within which the site is located may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

Southeast Region: Environmental Cleanup Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Valley Forge General Hospital, Operable Unit 1, Schuylkill Township, **Chester County.** Scott McClelland, URS Corp., 7101 Wisconsin Ave., Suite 700, Bethesda, MD 20814, on behalf of Kristine Carson, General Services Administration, Property Disposal Div., (4 PR) 401 West Peachtree St., Suite 2528, Atlanta GA, has submitted a Notice of Intent to Remediate soil contaminated with inorganics and groundwater contaminated with chlorinated solvents, inorganics and other organics. The applicant proposes to remediate the site to meet Site-Specific Standards. This is a revision to the notice published at 34 Pa.B. 244 (January 10, 2004). A summary of the Notice of Intent to Remediate was reported to have been published in *The Phoenix* on October 28, 2003.

Valley Forge General Hospital, Operable Unit 2, Schuylkill Township, **Chester County.** Scott McClelland, URS Corp., 7101 Wisconsin Ave., Suite 700, Bethesda, MD 20814, on behalf of Phoenixville Area School District, George Quay, 1120 Gay St., Phoenixville, PA 19460, has submitted a Notice of Intent to Remediate groundwater contaminated with chlorinated solvents, MTBE and other organics. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Phoenix* on October 28, 2003.

Northeast Regional Field Office: Joseph A. Brogna, Environmental Cleanup Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Jeff Lewis Property (Hemlock Farms), Blooming Grove Township, **Pike County.** Salvatore Sciascia, President, S & M Management, Inc., P. O. Box 1429, Milford, PA 18337 has submitted a Notice of Intent to Remediate (on behalf of Jeff Lewis, East 74th Street, New York, NY) concerning the remediation of soils suspected to have been contaminated with home heating oil. The applicant proposes to meet the Residential Statewide Health Standard. A summary of the Notice of Intent to Remediate is anticipated to be published in the *Pike County Dispatch* in the near future. A Final Report was simultaneously submitted.

PPL—Wescosville Substation (Cetronia Road), Upper Macungie Township, **Lehigh County.** PPL Electric Utilities, 2 North Ninth Street, Allentown, PA 18101

submitted a Final Report concerning the remediation of site soils found or suspected to be contaminated with PCBs. The applicant proposes to meet the Residential Statewide Health Standard. A summary of the Notice of Intent to Remediate was reportedly published in *The Morning Call* on December 15, 2003.

North Pocono High School, Moscow Borough, **Lackawanna County.** Kevin Keat, Senior Environmental Scientist, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18103 has submitted a Notice of Intent to Remediate (on behalf of North Pocono School District, 701 Church Street, Moscow, PA 18444-9391) concerning the remediation of soils and groundwater found or suspected to have been contaminated with fuel oil no 2. The applicant proposes to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate will reportedly be published in the *Scranton Times-Tribune* on January 31, 2004.

Victoria Square IV (Hobson Street and Anthony Court), Palmer Township, **Northampton County.** Kevin Van Kuren, P. G., Hydrocon Services, Inc., 16 East Minor Street, Emmaus, PA 18049 has submitted a Notice of Intent to Remediate (on behalf of Nicholas Pugliese, Grand Place, Phillipsburg, NJ 08865) concerning the remediation of soils and groundwater found or suspected to have been contaminated with no. 2 and no. 6 fuel oils. A summary of the Notice of Intent to Remediate was reported to have been published in the *Easton Express* on December 30, 2003.

William Kendall Property, Barrett Township, **Monroe County.** Philip Cicoello, Principal, PVI Services, Inc., 16 South Avenue West, No. 138, Cranford, NJ 07016 has submitted a Notice of Intent to Remediate (on behalf of William Kendall, 401 Summit Drive, Buck Hill Falls, PA 18323) concerning the remediation of groundwater found or suspected to have been contaminated with no. 2 fuel oil. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pocono Record* on January 5, 2004.

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

PPL Harrisburg Substation, City of Harrisburg, **Dauphin County.** PPL Services Corporation, Two North 9th Street, GENTW17, Allentown, PA 18101 submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide Health Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on December 19, 2003.

PPL Spring Substation, Sinking Spring Borough, **Berks County.** PPL Services Corporation, Two North 9th Street, GENTW17, Allentown, PA 18101 submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Eagle Times* on December 19, 2003.

Capital City Airport, Fairview Township, **York County.** Arc Environmental, Inc., 7118 Reynolds Mill Road, Seven Valleys, PA 17360, on behalf of Susquehanna Area Regional Airport Authority, submitted a Notice of Intent to Remediate site soils contaminated with no. 2 fuel oil, other organics and used motor oil and site groundwater contaminated with aviation gasoline, diesel fuel, no. 2 fuel oil, jet fuel, MTBE, other organics, PAHs

and unleaded gas. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot News* in September 2003.

Former Samuel Miller & Son, Inc. Site, City of Lancaster, **Lancaster County**. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, on behalf of David Selfon, 220 Centerville Road, Lancaster, PA 17601, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents and other organics. The applicant proposes to remediate the site to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer Journal—New Era* on December 20, 2003.

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

PPL Bloomsburg Substation, Town of Bloomsburg, **Columbia County**. PPL Services Corporation, 2 North 9th Street, GENTW17, Allentown, PA 18101 has submitted a Notice of Intent to Remediate soil contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bloomsburg Press-Enterprise* on December 12, 2003. See other information in the Actions section of this *Pennsylvania Bulletin*.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

I Richman Company, Inc., Canton Township, **Washington County**. John T. Conroy, Triline Associates, Inc., 400 Technology Drive, Suite 100, Canonsburg, PA 15217 (on behalf of John W. Richman, I. Richman Company, Inc., P. O. Box 232, Washington, PA 15301 and Franklin S. Gregg, Sr., Gregg, Inc., 2329 Hill Church-Houston Road, Canonsburg, PA 15317) has submitted a Notice of Intent to Remediate soil contaminated with lead and PCBs. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Observer Reporter* on October 24, 2003.

Walnut Street Development Project, City of McKeesport, **Allegheny County**. Joseph Scalamogna P. G., 808 Wellington Drive, Mars, PA 16046 (on behalf of McHolme Builders, Inc., 315 Payday's Drive, Elizabeth, PA 15037) has submitted a Notice of Intent to Remediate soil contaminated with lead and chromium. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *McKeesport Daily News* on July 25, 2003.

Sto-Rox Booster Hall, McKees Rocks Borough, **Allegheny County**. Toplak & Associates, 112 Pineview Road, Baden, PA 15005 (on behalf of Telephone Cards Unlimited, LLC, 217 Executive Drive, Suite 303B, Cranberry Township, PA 16066) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with chlorinated solvents, leaded gas, benzene and PCBs. The applicant proposes to remediate the site to meet the Special Industrial Area Requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on November 18, 2003.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Southeast Region: Regional Solid Waste Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Permit Application No. 101224. Waste Management of Delaware Valley South, 408 S. Oak Ave., P. O. Box 427, Primos, PA 19108, Upper Darby Township, **Delaware County**. The application was received for a renewal of a permit for a new 10-year term. The application was received by the Southeast Regional Office on January 8, 2004.

Permit Application No. 101376. Forge Inc., 5245 Bleigh Ave., Philadelphia, PA 19136-4225, **Philadelphia County**. The application was received for a renewal of a permit for a new 10-year term. The application was received by the Southeast Regional Office on December 31, 2003.

Permit Application No. 100817. Eastern Montgomery County Waste System Authority, Suite 300, One Lafayette Place, Norristown, PA 19401, Upper Dublin Township, **Montgomery County**. The application was received for a renewal of a permit for a new 10-year term. The application was received by the Southeast Regional Office on January 6, 2004.

Permit Application No. 400246. DELCORA, 100 East 5th St., Chester, PA 19013-4508, City of Chester, **Delaware County**. The application was received for an extension to DELCORA's hours for accepting municipal and residual sludge deliveries. The application was received by the Southeast Regional Office on December 29, 2003.

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 indicated before an application 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 a proposed plan approval or operating permit. Comments or protests filed with 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 to the date of the hearing.

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

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

PLAN APPROVALS

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

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

35-313-013: Gentex Corp. (P. O. Box 315, Carbondale, PA 18407) for construction of an electric kiln and associated air cleaning device at their facility at 236 Delaware Street, Archbald Borough, **Lackawanna County**.

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

06-05008A: SFS Intec, Inc. (P. O. Box 6326, Wyomissing, PA 19610) for construction of three surface coating lines in the Borough of Wyomissing, **Berks County**.

06-05037E: McConway and Torley Corp. (109 48th Street, Pittsburgh, PA 15201) for installation of a fabric filter control device on the existing air arc turntable at their Kutztown Foundry in Kutztown Borough, **Berks County**.

06-05079B: United Corrstack, Inc. (720 Laurel Street, Reading, PA 19602) for modification of a boiler controlled by a low NOx burner in the City of Reading, **Berks County**. The boiler is subject to 40 CFR Part 60, Subpart Dc, Standards of Performance for New Stationary Sources.

07-03043A: McLanahan Corp. (200 Wall Street, Hollidaysburg, PA 16648) for construction of a cast iron and steel induction melt furnace in the foundry building in the Borough of Hollidaysburg, **Blair County**.

21-03053A: Parthemore Home and Cremation Services, Inc. (1303 Bridge Street, New Cumberland, PA 17070) for construction of a human crematorium in the Borough of New Cumberland, **Cumberland County**.

36-05027C: R. R. Donnelley and Sons Co. (216 Greenfield Road, Lancaster, PA 17601-5885) to install a rotogravure printing press at their Lancaster East facility in Lancaster City, **Lancaster County**. This application is subject to 40 CFR Part 60, New Source Performance Standard Subpart QQ and 40 CFR Part 63, MACT Subpart KK.

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

56-00291A: RoxCoal, Inc. (P. O. Box 149, Friedens, PA 15541) for installation of a dry screen operation at Miller Mine in Lincoln Township, **Somerset County**.

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

25-006A: Russell Standard Corp.—Wheelerstown Road (Wheelerstown Road, Union City, PA 16438) to replace an existing asphalt plant with another asphalt plant in LeBoeuf Township, **Erie County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Roger Fey, Chief, (215) 823-7584.

AMS 03200: Wayne Mills Co., Inc. (130 West Berkerly Street, Philadelphia, PA 19144) for installation of a 200 hp, no. 4 oil fired boiler in Philadelphia, **Philadelphia County**.

AMS 03219: City of Philadelphia—Women's Detention Center (1515 Arch Street, Philadelphia, PA 19102) for installation of a gas engine driven chiller at 8151 State Road, Philadelphia, **Philadelphia County**.

AMS 3236: Park Plaza Condominium (3900 Ford Road, Philadelphia, PA 19131) for permitting two 400 hp, no. 4 oil fired boilers in Philadelphia, **Philadelphia County**.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act 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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-0234: Conshohocken Steel Products, Inc. (301 Randolph Avenue, Ambler, PA 19002) for installation of a spray booth and approval for manual brush painting, all of which entail the painting of dumpsters at their facility in Upper Dublin Township, **Montgomery County** which is a non-Title V facility. The paint to be used in the spray booth shall be a low VOC paint. PM resulting from overspray in the spray booth shall be reduced by 98.85% by the use of crisscross paper style paint arrester filters manufactured by Research Products Corporation (Model No. 3332). Manual Brush Painting will not result in emissions of PM. Other emissions are HAPs, resulting from the spray paints. Total emissions will not exceed 20 tpy for VOCs. HAP emissions will be less than 9 tpy. PM emissions will be less than 1 tpy. The Plan Approval and Operating Permit will contain recordkeeping and operat-

ing restrictions designed to keep the facility operating within these emission rates and all applicable air quality requirements.

46-0032B: SPS Technologies, Inc. (301 Highland Avenue, Jenkintown, PA 19046) for installation of Vapor Super Heater on existing Vapor Degreaser, that uses trichloroethylene (TCE) as degreasing agent, at their major manufacturing aerospace parts facility at Abington Township, **Montgomery County**. The installation of the vapor super heater on the vapor degreaser will not increase the previously approved emissions of 12 tons per year of TCE. TCE is a VOC and an HAP. 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. The facility currently has a Title V Permit No. 46-00032. The Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

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

06-05029B: Reading Body Works, Inc. (P. O. Box 650, Reading, PA 19607-0650) for modification of two surface coating lines controlled by dry filters and low VOC coatings in the City of Reading, **Berks County**. The plan approval is to lower the VOC content in the coatings on one line and to increase the annual VOC limit on the second line. The plan approval will include limits, monitoring, recordkeeping, work practices and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility is presently covered by Title V Operating Permit 06-05029. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450.

06-05069C: East Penn Mfg. Co., Inc. (P. O. Box 147, Lyon Station, PA 19636) for construction of a grid caster in Plant A-2 and two lead oxide mills in the oxide plant and modification of a grid caster and lot pot in Plant A-2 all controlled by four fabric collectors and HEPA filters in their facility in Richmond Township, **Berks County**. The sources are subject to 40 CFR Part 60, Subpart KK, Standards of Performance for New Stationary Sources. The sources will be required to be tested to show compliance. The plan approval will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility is presently covered by Operating Permit 06-1069 and Title V Application 06-05069. This plan approval will be incorporated into the Title V operating permit in accordance with 25 Pa. Code § 127.450.

22-03052A: Harman Stove Co. (325 Mountain House Road, Halifax, PA 17032) for construction of a paint booth for a stove coating operation in Jackson Township, **Dauphin County**. The primary emissions from the source are VOCs and the estimated emissions are about 5.5 tons per year. The Plan Approval will contain restrictions, monitoring, recordkeeping and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

37-162B: Precision Plating Co., Inc. (407 Summit View Drive, New Castle, PA 16105-1431) for installation

of two new hard chrome process tanks with associated fume scrubber exhaust system in Neshannock Township, **Lawrence County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval to install two new hard chrome process tanks with associated fume scrubber exhaust system in Neshannock Township, Lawrence County.

This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

1. The chrome plating tanks 8 and 9 shall comply with 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.

2. The sources shall comply with 40 CFR Part 63, Subpart N, National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.

3. 40 CFR 63.9 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to Director; Air, Toxics and Radiation Division; US EPA, Region III; 1650 Arch St.; Philadelphia, PA 19103-2029.

4. Chromium emissions from the scrubber unit for chrome plating tanks 8 and 9 shall not exceed 0.015 milligram of total chromium per dry standard cubic meter (mg/dscm) of ventilation air (0.66×10^{-5}) grains per dry standard cubic foot (gr/dscf).

5. Total cumulative ampere-hours for all chromium plating units at the facility shall not exceed 59 million ampere-hours per year. A year shall be defined as any consecutive 12-month rolling period.

6. The company shall demonstrate compliance with the maximum cumulative rectifier capacity defined in condition 8 as follows:

Monthly records of ampere-hours for each plating unit shall be maintained using nonresettable ampere-hr meters. The actual cumulative rectifier capacity for the previous 12 month period shall be tabulated monthly by adding the capacity of the current month to the capacities for the previous 11 months.

7. Recordkeeping and reporting requirements shall be maintained in accordance with 40 CFR 63.346 and 63.347, respectively.

8. Within 30 days of the notice required by condition 3(a), a test procedure for determining the chromium emission rates for the exhaust from the scrubber serving plating tanks 8 and 9 including a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples shall be submitted to the Department.

9. Within 90 days of achieving normal operation, or within 180 days of the initial start up, which ever comes first, stack tests shall be performed in accordance with EPA test procedures outlined in 40 CFR 63.344 Performance Test requirements and 25 Pa. Code § 139 approved by the Department to show compliance with the chromium emission rates provided in condition 7.

10. At least 2 weeks prior to the test for chromium emissions, the Department's regional office shall be informed of the date and time of the test.

11. Within 60 days after completion of the tests for chromium emissions, two copies of the complete test report, including all operating conditions, shall be submitted to the Department for approval.

12. If the results of the stack tests performed in conformance with the conditions of this plan approval exceed the emission levels specified in any condition of this approval, the permittee shall take appropriate corrective actions. The permittee shall submit a description of these corrective actions to the Department, within 30 days of receipt of the test results. The permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. The Department shall notify the permittee with 30 days, if the corrective actions taken are deficient. The permittee shall submit a description of additional corrective actions taken to the Department within 30 days of receipt of the notice of deficiency. The Department reserves the authority to use enforcement activities to resolve noncompliant stack tests.

13. If the results of the stack tests performed in conformance with the conditions of this plan approval exceed the emission levels specified in any condition of this approval, a retest to demonstrate compliance shall be performed within 120 days of receipt of the original test results. Should the permittee demonstrate to the Department that retesting in 120 days is not practicable, the Department may extend the deadline. Failure of the second test to demonstrate compliance with the appropriate approval

14. During the stack test, the pressure drop across each stage of the unit shall be monitored and recorded. The pressure drops indicated during testing, + or - 1" w.g., shall become standard operating parameters for the unit.

15. Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale so that the expected normal reading shall be no less than 20% of full scale.

16. The pressure drop across each stage of the unit shall be recorded daily and maintained for 5 years. The records shall be made available to the Department upon request.

17. The source shall comply with 40 CFR 63.343 (c)(1) —monitoring to demonstrate continuous compliance.

18. The source shall comply with 40 CFR 63.342—summary of Work Practice Standards.

10-079C: BNZ Materials, Inc. (191 Front Street, Zelienople, PA 16063) for installation of low NOx burners in kiln 1 in Zelienople Borough, **Butler County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. 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. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- This Plan Approval is for reconstruction of kiln 1, retrofitting with low NOx burners, to support plans to produce two types of cast insulating fire brick.
- This approval to construct/modify shall become invalid if: (1) construction is not commenced (as defined in

25 Pa. Code § 127.13(b) and 40 CFR 52.21 (b)(8)) within 18 months after the date of this approval; (2) if construction is discontinued for a period of 18 months or more; or (3) construction is not completed within a reasonable time.

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

- PM emissions from kiln 1 shall not exceed 0.02 grain per dry standard cubic foot (grains/dscf). Compliance with the particulate matter emission limit shall be shown through the following initial stack test.

- PM10 emissions from kiln 1 shall not exceed 14.9 tons per year, to be defined as any consecutive 12-month rolling period. Compliance with the PM10 emission limit shall be shown through an emission factor developed (# PM10/ton brick produced) during the following initial stack test.

- Kiln 1 shall be installed with low NOx burners. NOx emissions from kiln 1 shall not exceed 0.37 #/ton bricks. Compliance with the NOx emission limit shall be shown through the following initial stack test.

- SOx emissions from kiln 1 shall not exceed 500 ppm (by volume, dry basis) at any time (from 25 Pa. Code § 123.21). Compliance with the SOx emission limit shall be shown through the following initial stack.

- Fluoride emissions from kiln 1 shall not exceed 2.9 tons per year, to be defined as any consecutive 12-month rolling period. Compliance with the fluoride emission limit shall be shown through an emission factor developed (# fluoride/ton brick produced) during the initial stack test or subsequent stack test and through the following fluoride clay concentration monitoring. If the fluoride emissions exceed 3 tpy, the permittee shall submit a PSD application for this source within 30 days.

- *Fluoride Clay Concentration Monitoring:*

- The permittee shall take a representative sample (0.5 #/ton of clay) from each shipment of clay.

- The permittee shall make a weekly composite sample from all the samples taken in part (a) and test for fluoride concentration in the clay.

- After 6 months of sampling, the permittee may petition the Department to reduce the sampling frequency if the average fluoride concentration in the clay does not vary greater than 5% from the fluoride concentration during the latest stack test for fluoride emission compliance.

- The fluoride emission factor developed during the latest stack test for fluoride emission compliance shall increase proportionally with an increase in fluoride concentration in the clay above the concentration during testing. This adjusted emission factor shall be used in calculating the monthly and yearly fluoride emissions.

- *Stack Test Requirement:* Within 60 days after achieving the normal production rate at which kiln 1 will be operated, but not later than 180 days after initial startup of the source, a stack test shall be performed in accordance with 25 Pa. Code Chapter 139 and the most current edition of the Department's "Source Testing Manual" for particulate matter, NOx, fluoride and SOx emissions. The stack tests shall be performed while the aforementioned source is operating at maximum or normal rated capacity as stated in the application. The permittee shall take a representative clay sample (1 #/ton of clay) and test for

fluoride concentration in the clay used during the initial stack test and any subsequent stack test for fluoride emission compliance.

- Within 30 days of performing a stack test, three copies of a protocol shall be submitted in accordance with 25 Pa. Code Chapter 139. The protocol shall contain, at a minimum, location of sampling ports, planned production rates and any other information applicable to the stack testing. Performing a stack test prior to Department approval of the protocol may invalidate the results.

- At least 2 weeks prior to the test, the Department shall be informed, in writing, of the date and time of the test.

- Within 60 days after completion of stack testing, three copies of the complete test report, including, but not limited to, production rates during testing, calculation methods and results, clay fluoride concentration and any other applicable testing information that will allow for a complete review of the test and results, shall be submitted to the Department for approval. The emission rates shall also be shown in a # pollutant/ton brick produced.

- Subsequent stack tests for compliance purposes shall follow the procedures outlined in parts (a)—(c).

- *Actions Related to Noncompliance Demonstrated by a Stack Test:*

- When the results of a stack test performed in conformance with this condition, of this approval exceed the level specified in any condition of this approval, the permittee shall take appropriate corrective actions. The permittee shall submit a description of these corrective actions to the Department, within 30 days of receipt of the test results. The permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. The Department shall notify the permittee within 30 days, if the corrective actions taken are deficient. The permittee shall submit a description of additional corrective actions taken to the Department within 30 days of receipt of the notice of deficiency. The Department reserves the authority to use enforcement activities to resolve noncompliant stack tests.

- A retest to demonstrate compliance shall be performed within 120 days of receipt of the original test results. Should the permittee demonstrate to the Department that retesting in 120 days is not practicable, the Department may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate approval conditions may be grounds for immediate revocation of the approval to operate the affected facility.

- The facility shall maintain records of kiln 1 gas usage, production (slabs/day), clay throughput and clay fluoride concentration from sampling. Records shall be maintained of kiln 1 downtime, repairs made and maintenance performed. Records shall be maintained of the PM10 and fluoride monthly and yearly (defined as any consecutive 12-month rolling period) emissions. Records shall be maintained onsite for a minimum of 5 years and shall be made available to the Department upon request.

- The facility shall comply with 25 Pa. Code § 127.25 as follows:

- A person may not cause or permit the operation of a source, unless the source and air-cleaning device, are operated and maintained in accordance with specifications in the Plan Approval application and conditions listed previously. A person may not cause or permit the

operation of an air contamination source in a manner inconsistent with good operating practices.

- Any information required to be submitted as part of the previous conditions should be submitted to the attention of Regional Air Quality Program Manager, Air Quality Program, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335-3481.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-00013: Hatfield Quality Meats, Inc. (2700 Funks Road, Hatfield, PA 19440) for a renewal of their Title V Operating Permit in Hatfield Township, **Montgomery County**. The initial permit was issued on December 29, 1998. The facility is a hog rendering plant. As a result of potential emissions of NOx, PM and SOx, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Permit Renewal includes one new boiler subject to 40 CFR 60, Subpart Dc, several small (new) combustion sources and a reclassification of the existing cold parts washers to comply with new State regulations. At this time, the facility is not subject to Compliance Assurance Monitoring under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

33-00033: Owens-Brockway Glass Container, Inc.—Plant 18 (Cherry Street, Brockway, PA 15824) for reissuance of a Title V Permit to operate a glass containers manufacturing facility in Brockway Borough, **Jefferson County**. The facility's major emission sources include glass melting furnace, refiner, two forehearth, two lehrs, eight raw material handling and silos, cullet handling and storage, batch gathering and mixing, miscellaneous combustion sources, two container forming machines, road fugitives and 100 kW emergency generator and two degreaser units. The facility is major facility for Title V due to its potential to emit NOx and SOx.

10-00023: Mercer Lime and Stone Co.—Branchton Plant (560 Branchton Road, Slippery Rock, PA 16057) for a Title V Operating Permit reissuance to operate a lime manufacturing facility in Slippery Rock Township, **Butler County**.

Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-00096 Georgia Pacific Corp. (600 Righters Ferry Road, Bala Cynwyd, PA 19004-0426) for operation of their paperboard processing facility in Lower Merion Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The source of air emissions is two boilers and one production line, with an associated cy-

clone separator. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00118: Ursinus College (P. O. Box 1000, Collegeville, PA 19426) for a non-Title V Facility, State-only, Synthetic Minor Operating Permit in Collegeville Borough, **Montgomery County**. The permit is for the operation of 52 boilers and 12 emergency generators firing natural gas, no. 4 or no. 6 oil as fuel. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

46-00179: Tuscan-Lehigh Dairies LP (880 Allentown Road, Lansdale, PA 19446) for operation of two boilers at their dairy bottling plant in Upper Gwynedd Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The facility has the potential to emit less than 25 tons of VOCs and less than 25 tons per year of NOx; therefore the facility is a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

67-03010: Yorkkraft Inc. (550 South Pine Street, York, PA 17405) for operation of their two spray booths and four UV coaters in York City, **York County**. The facility has a potential to emit 12.2 tons per year of VOCs. The State-only operating permit will contain appropriate conditions designed to keep the facility operating below Title V thresholds for criteria pollutants and within all other applicable air quality requirements.

06-03057: Borough of Bally (P. O. Box 187, Bally, PA 19503) for the operation of a dual stripping tower at their facility in the Borough of Bally, **Berks County**. The State-only operating permit will include limits on the concentration of certain contaminants. The permit will include testing, monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

06-05079: United Corrstack, LLP (720 Laurel Street, Reading, PA 19602) for production of roll stock paper from recycled paper at its facility in the City of Reading, **Berks County**. The State-only operating permit will limit emissions to levels below the Title V permit thresholds. The permit will contain emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

36-03108: Bristolpipe (88 Newport Road, Leola, PA 17540) for operation of a plastic pipe manufacturing facility in Upper Leacock Township, **Lancaster County**. The State-only operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-03019: Flury Foundry Company (1160 Elizabeth Avenue, Harrisburg, PA 17601) for the operation of a brass and bronze foundry in Manheim Township, **Lancaster County**. Annual emissions from this facility are expected to be about 4.0 tons of PM10 per year. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restric-

tions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

25-00591: Seaway Manufacturing Corp. (2250 East 33rd Street, Erie, PA 16510) for a Natural Minor operating permit for the manufacture of vinyl and metal doors and windows in the City of Erie, **Erie County**.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and

relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

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

*The parameter is applicable at all times.

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

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

03031302. NPDES Permit NA, T. J. S. Mining, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774), to operate the T. J. S. No. 5 Deep Mine in South Bend Township, **Armstrong County** and Young Township, **Indiana County** and for discharge of treated mine drainage. Surface Acres Proposed 32.3, Underground Acres Proposed 556.7, SCP Acres Proposed 491.3. Receiving streams: Crooked Creek (WWF) and Craig Run (WWF). Application received December 12, 2003.

30841317. NPDES Permit No. PA0213527, Consol Pennsylvania Coal Company (P. O. Box 355, 172 Route 519, Eighty Four, PA 15330), to revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County**, to install a ventilation borehole. Surface Acres Proposed 0.25. No additional discharges. Application received December 31, 2004.

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

16920107 and NPDES Permit No. PA0211435. Transfer of an existing bituminous surface strip and tippie refuse disposal and beneficial use of coal ash operation in Perry and Licking Townships, **Clarion County**, affecting 547 acres. Receiving streams: unnamed tributaries to Cherry Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from C & K Coal Company. Application received January 13, 2004.

24020104 and NPDES Permit No. PA0242268. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838). Revision to an existing bituminous surface strip operation in Fox Township, **Elk County**, affecting 260.0 acres. Receiving streams: Little Toby Creek and unnamed tributaries to Little Toby Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Revision to beneficially use coal ash as structural fill and alkaline addition material. Application received January 14, 2004.

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:

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

32960102 and NPDES Permit No. PA0213314. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), permit revision to change the land use from pastureland to unmanaged natural habitat in Canoe Township, **Indiana County**, affecting 262.0 acres. Receiving streams: unnamed tributaries of Canoe Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received January 6, 2004.

11813015 and NPDES Permit No. PA0607991. Cooney Brothers Coal Company (P. O. Box 246, Cresson, PA 16630), permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Gallitzin and Logan Townships, **Cambria and Blair Counties**, affecting 170.6 acres. Receiving streams: unnamed tributary to Kittanning Run; to Kittanning Run; and to unnamed tributary to Glenwhite Run (CWF). The first downstream potable water supply intake from the point of discharge is Altoona City Blair County Authority Burgoon Run Glenwhite Surface Withdrawal. Application received January 14, 2004.

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

65-03-02 and NPDES Permit No. PA0250520. Coal Loaders, Inc. (P. O. Box 556, Ligonier, PA 15658). Application for a government financed construction contract for a project to eliminate 1.7 acres of abandoned highwalls and spoil in Derry Township, **Westmoreland County**, affecting 12.2 acres. Receiving streams: unnamed tributary to Union Run (WWF). There is no potable water supply intake within 10 miles from the point of discharge. Application received December 24, 2003.

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

17030121 and NPDES Permit No. PA0243671. Moravian Run Reclamation Co., Inc. (605 Sheridan Drive, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine-auger permit in Penn Township, **Clearfield County**, affecting 43.2 acres. Receiving streams: unnamed tributary to Bell Run (CWF). Application received December 31, 2003.

Coal Applications Withdrawn

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

17860140 and NPDES Permit No. PA0115673. Waroquier Coal Company (P. O. Box 128, Clearfield, PA 16830). Major revision to an existing bituminous surface mine permit for a change in land use from forestland to land occasionally cut for hay. The permit is in Beccaria Township, **Clearfield County** and affects 323 acres. Receiving streams: unnamed tributaries to

Cofinan Run and unnamed tributaries to Muddy Run. Application received August 6, 2003. Permit withdrawn: December 17, 2003.

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	35mg/l	70mg/l	90mg/l
pH*		greater than 6.0; less than 9.0	

*The parameter is applicable at all times.

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

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

6275SM2C7 and NPDES PA0594539. Hanson Aggregates Pennsylvania, Inc. (1900 Sullivan Trail, P. O. Box 231, Easton, PA 18044-0231), renewal of NPDES permit for discharge of treated mine drainage in Limestone and Liberty Townships, **Montour County**. Receiving streams: Chillisquaque Creek (WWF). Application received January 9, 2004.

13930301C3 and NPDES Permit No. PA0595829. Haines & Kibblehouse, Inc. (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474), renewal of NPDES permit for discharge of treated mine drainage in Penn Forest Township, **Carbon County**. Receiving streams: Stony Creek (EV). Application received January 13, 2004.

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

10040301 and NPDES Permit No. PA0242471. Raducz Stone Corporation (284 Rockdale Road, Butler, PA 16002). Commencement, operation and restoration of a shale and sandstone operation in Penn Township, **Butler County**, affecting 27.0 acres. Receiving streams: one unnamed tributary to Thorn Creek and Thorn Creek (WWF). There are no potable surface water supply intakes within 10 miles downstream. Application to include a land use change from forestland and forestland (now abandoned surface mine) to unmanaged natural habitat on lands of Frank J. Raducz. Application received January 7, 2004.

42040301. D & D Stone Company (P. O. Box 87, East Smethport, PA 16730). Commencement, operation and restoration of a shale and sandstone operation in Liberty Township, **McKean County**, affecting 33.6 acres. Receiving streams: Allegheny River (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application to include a land use change from forestland and unmanaged natural habitat to unmanaged natural habitat and industrial/commercial on lands of Michael R. and James P. Duffy. Application received January 7, 2004.

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

03950301 and NPDES Permit No. 0201359. Glacial Sand & Gravel Company (P. O. Box 1022, Kittanning, PA 16201). Permit renewal application for continued operation and reclamation of an existing noncoal mine in East Franklin Township, **Armstrong County**, affecting 310 acres. Receiving streams: unnamed tributaries to the Allegheny River (WWF). The first potable water supply intake within 10 miles downstream from the point of discharge is West Penn Water Company. Renewal application received January 12, 2004.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E38-142: Farmer's Pride, Inc., P. O. Box 39, 154 West Main Street, Fredricksburg, PA 17026 in Bethel Township, **Lebanon County**, ACOE Baltimore District.

To: (1) install and maintain a box culvert; (2) remove a multiple pipe culvert crossing and stabilize the area; and (3) construct and maintain a 5,430 ft² building addition which will extend into the floodway of Deep Run (WWF), for the purpose of expanding operations at the Bell & Evans, Farmer's Pride Chicken Plant, 154 West Main Street, just north of Route 343 (Fredricksburg, PA Quadrangle N: 13.0 inches; W: 8.3 inches) in Bethel Township, Lebanon County.

E36-776: Office of Lancaster County Engineer, 50 North Duke Street, 7th Floor, Lancaster, PA 17608 in Ephrata Township, **Lancaster County**, ACOE Baltimore District.

To install and maintain a dual span concrete arch bridge structure a total of 66.3 feet in length, across Cocalico Creek (WWF), for the purpose of replacing the existing deteriorating bridge on Royer Road (T-648) approximately 2,250 feet northwest of Rothsville Road (Ephrata, PA Quadrangle N: 8.0 inches; W: 13.0 inches) in Ephrata Township, Lancaster County.

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

E12-146. Steve Tronccone, 585 East 2nd Street, Emporium, PA 15834. Tronccone Gravel Removal in Shippen Township, **Cameron County**, ACOE Baltimore District (Cameron, PA Quadrangle N: 22.25 inches; W: 11.5 inches).

The applicant proposes to remove gravel deposition within the Driftwood Branch of the Sinnemahoning Creek. The extent of the work will have a maximum length of the 150 linear feet and a maximum width of 30 linear feet to a depth not to exceed 6 inches above the water surface.

E12-147. Lumber Township, 213 Rocky Road, Emporium, PA 15834. Hunts Run Road Project in Lumber Township, **Cameron County**, ACOE Baltimore District (Cameron, PA Quadrangle N: 17.95 inches; W: 3.5 inches and Wharton, PA Quadrangle N: 2.6 inches; W: 16.6 inches, N: 4.6 inches; W: 15.25 inches, N: 5.3 inches; W: 15 inches).

The applicant proposes to replace either undersized or failing culvert crossings in four different locations along Hunts Run Road. Each of these locations has different drainage areas thus requiring different designs for each. The location information follows this order: White Head

Run Stream Crossing proposes to remove the existing three 48-inch corrugated metal culvert pipes and replace them with five 60-inch culvert pipes, remove the existing culvert assembly in Colbert Hollow and replace it with two 60-inch culvert pipes, remove the existing 27-inch corrugated metal culvert pipe in an unnamed tributary to Hunts Run and replace it with two 48-inch culvert pipes and to remove the existing 24-inch corrugated metal culvert pipe in an unnamed tributary to Hunts Run and replace it with two 48-inch culvert pipes. The permit application labels the culverts in the unnamed tributaries to Hunts Run as culvert 2 and culvert 1, respectively. This permit proposes to impact a total of 125 feet of stream and does not impact any wetlands.

E57-103. Department of Conservation and Natural Resources, Rachel Carson Office Building, P. O. Box 8451, Harrisburg, PA 17105-8451. Bridge replacement in Laporte Township, **Sullivan County**, ACOE Baltimore District (Eagles Mere, PA Quadrangle N: 12.8 inches; W: 4.2 inches).

To: (1) remove the existing single-span steel bridge which is skewed 75 degrees to the roadway baseline with stone masonry abutments. The existing bridge has a normal span of 28.0 feet, a curb-to-curb width of 13.5 feet, a minimum underclearance of 3.82 feet and a hydraulic opening of 146 square feet; (2) construct and maintain a prestressed concrete spread box beam bridge which is skewed 60 degrees to the roadway baseline, with a single clear span of 35.0 feet, minimum underclearance of 6.2 feet, a curb-to-curb width of 18.0 feet, a normal span of 30.0 feet, a minimum underclearance of 6.2 feet and a hydraulic opening of 185 square feet. R-6 rock will be placed around the superstructure and along the far upstream and downstream channel banks for scour protection; and (3) construct a two-phase temporary diversion system consisting of a dike constructed of precast barrier, polyethylene liner and sandbags. The dike will initially divert water from the near abutment area and then be relocated to divert water from the far abutment area. The project is in Shanersburg Run (HQ-CWF) on Shanersburg Road approximately 0.5 mile from the intersection of Shanersburg Road with SR 154. The project will not impact wetland while impacting approximately 100 feet of waterway and less than 1 acre of earth.

E59-448. John Felton, 942 Camp Trail Road, Quakertown, PA 18951. Private bridge crossing in Middlebury Township, **Tioga County**, ACOE Baltimore District (Crooked Creek, PA Quadrangle N: 17 inches; W: 13.8 inches).

The applicant proposes to replace the existing right abutment of an existing bridge. The work includes removal of the existing right abutment and replacing it with a cast-in-place concrete abutment with railroad tie wing walls. The project will impact a maximum of 40 linear feet of Crooked Creek (WWF) and does not impact any wetlands.

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

E02-1443. The Meritage Group, LP, 772 Pine Valley Drive, Pittsburgh, PA 15239. The Whispering Pines Residential Development in Plum Borough, **Allegheny County**, Pittsburgh ACOE District (Murrysville, PA Quadrangle N: 14.5 inches; W: 14.0 inches) (Latitude: 40° 27' 13"—Longitude: 79° 43' 28"). The applicant proposes to place fill in 0.02 acre of de minimis areas of wetlands associated with unnamed tributaries to Pierson Run (TSF) for the purpose of constructing The Whisper-

ing Pines Residential Development. The project is approximately 2,000 feet west from the intersection of Lindsey Lane and Old Frankstown Road and will impact 0.02 acre of wetlands and 934.0 linear feet of stream channel.

E02-1447. Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. West End Bridge improvements in the City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District (Project begins: Pittsburgh West, PA Quadrangle N: 12.7 inches; W: 3.8 inches and ends N: 10.6 inches; W: 4.0 inches) (Latitude: 40° 26' 21"—Longitude: 80° 1' 58"). Applicant proposes to: (1) remove existing structures; (2) construct and maintain the new Steuben Street Connector Bridge, consisting of a single-span beam bridge with a clear span of approximately 91 feet and minimum underclearance of approximately 29.4 feet; (3) to construct and maintain a replacement South Street Bridge, consisting of a single-span beam bridge with a clear span of approximately 42 feet and minimum underclearance of approximately 18 feet; (4) to construct and maintain retaining wall approximately 220 feet long along the right bank; (5) to operate and maintain the existing Ramp A bridge consisting of a concrete arch culvert having a span of approximately 52 feet and underclearance of 29 feet; (6) to construct and maintain two temporary stream crossings; and (7) various stormwater outfalls, all of these structures are in or along or across Saw Mill Run (WWF). The work is part of the proposed West End Bypass Improvement Project—Phase 2. The project begins at the south end of the West End Bridge and ends near the intersection of the West End Bypass and Shaler Street in the City of Pittsburgh, Allegheny County. The project proposes to directly effect, through retaining walls 220 feet of stream channel and through bridges, approximately 250 feet of stream channel. No vegetated wetlands will be impacted.

E03-417. Allegheny Energy Supply Company, LLC, 4350 Northern Pike, Monroeville, PA 15146-2841. Limestone Run Abandoned Mine Reclamation Wetland Fill in Washington Township, **Armstrong County**, Pittsburgh ACOE District (East Brady, PA Quadrangle N: 6.5 inches; W: 6.0 inches) (Latitude: 40° 54' 10"—Longitude: 79° 32' 30"). The applicant proposes to place and maintain fill in 3.05 acres of wetlands (PEM) as part of the reclamation of an abandoned strip mine. To compensate for loss of wetlands, the applicant proposes the construction of 3.4 acres of replacement wetlands onsite. The project is off of T-577, approximately 1.5 miles from its intersection with SR 4017.

E04-300. Calaco, Inc., 307 4th Avenue, Suite 604, Pittsburgh, PA 15222. Pine Run Townhouse culvert and wetland fill in New Sewickley Township, **Beaver County**, Pittsburgh ACOE District (Baden, PA Quadrangle N: 11.6 inches; W: 15.4 inches) (Latitude: 40° 41' 20"—Longitude: 80° 14' 10"). The applicant proposes to construct and maintain a dual 60-inch diameter HDPE culvert for a distance of approximately 76 within a tributary to Crows Run (WWF) with 6 feet of riprap on the upstream and downstream ends, to place and maintain fill for a distance of approximately 400 feet along the right bank flood way of Crows Run, to construct and maintain various stormwater outfalls to Crows Run and to place and maintain fill in 0.02 acre (PEM). This is a de minimis impact, therefore no wetland mitigation is required. The encroachments are for a proposed development to be known as Pine Run Townhouses. The project is on the west side of Pine Run Road, approximately 1,000 feet north of its intersection with 9th Street. The total proposed impacts are 76-foot culvert in Crows Run,

approximately 400 feet of fill in the floodway and 0.02 acre of wetland fill. This permit application was originally published under E04-292, which was withdrawn on July 1, 2003.

E26-314. North Union Township Supervisors, 7 South Evans Station Road, Lemont Furnace, PA 15401. Nell Street (T-993) Culvert over Bennington Spring Run in North Union Township, **Fayette County**, Pittsburgh ACOE District (Uniontown, PA Quadrangle N: 0.5 inch; W: 10.7 inches) (Latitude: 39° 52' 38"—Longitude: 79° 41' 59"). The applicant proposes to remove the existing structure and to construct and maintain a 32.0-foot long bottomless 13.0-foot by 3.0-foot aluminum box culvert in Bennington Spring Run (WWF) for the purpose of improving transportation safety and roadway standards. The project is on T-993 (Nell Street).

E30-208. Borough of Waynesburg, 90 East High Street, Waynesburg, PA 15370. Waynesburg Borough Municipal Park improvements in Waynesburg Borough, **Greene County**, Pittsburgh ACOE District (Waynesburg, PA Quadrangle N: 3.8 inches; W: 7.8 inches) (Latitude: 39° 53' 15"—Longitude: 80° 10' 18"). The applicant proposes to improve and maintain the existing Waynesburg Borough Municipal Park by adding parking, a driveway, sidewalk, play ground equipment and picnic pavilion in the 100-year floodplain of Purman Run (WWF). The park is between High and Greene Streets.

E63-556. Maronda Homes, Inc., 202 Park West Drive, Pittsburgh, PA 15275. Walnut Ridge Culvert in North Strabane Township, **Washington County**, Pittsburgh ACOE District (Washington East, PA Quadrangle N: 21.2 inches; W: 9.5 inches) (Latitude: 40° 14' 30"—Longitude: 80° 11' 53"). The applicant proposes to remove the existing driveway crossing, to construct and maintain a new 84-inch diameter RCCP culvert (depressed 6 inches) approximately 110 feet long and a riprap energy dissipater for 46 feet on the downstream end of the culvert, to place and maintain fill along the left bank flood plain for approximately 300 feet and construct and maintain a stormwater outfall to, in and along an unnamed tributary to Chartiers Creek (WWF) for a proposed residential development to be known as Walnut Ridge. The project will be on the south side of SR 519 approximately 0.6 mile east of its southbound exit off of SR 79 in North Strabane Township, Washington County. The total proposed stream impacts are 185 feet to an unnamed tributary to Chartiers Creek.

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

E25-682. Department of Transportation, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. SR 0020, Section 11M Across tributaries to Turkey Creek in Springfield Township, **Erie County**, ACOE Pittsburgh District (East Springfield, PA Quadrangle N: 13.6 inches; W: 15.8 inches).

To conduct the following activities in tributaries to Turkey Creek on SR 0020, Section 11M just east of its intersection with SR 5:

1. To remove the existing structure and to install and maintain a 124-foot long, 76-inch wide by 48-inch high elliptical reinforced concrete pipe stream enclosure approximately 400 feet east of SR 5.

2. To remove the existing structure and to install and maintain twin 180-foot long, 48-inch diameter reinforced concrete pipe stream enclosure approximately 700 feet east of SR 5.

Major Amendment E37-147, Department of Transportation, District 11-0, 45 Thoms Run Road Bridgeville, PA 15017-2853. SR 2007, Section L01, Segment 0040, Offset 0000 Stream Enclosure Replacement in an unnamed tributary to Slippery Rock Creek (CWF) in Perry Township, **Lawrence County**, ACOE Pittsburgh District (Portersville, PA Quadrangle N: 3 inches; W: 12.5 inches).

The original permit giving its consent to remove the existing structure and to construct and maintain a 120-foot long, 12-foot wide by 6.5-foot high precast concrete pipe arch culvert stream enclosure is to be amended to give consent to remove the existing structure and to construct and maintain a 120-foot long, 12-foot wide by 6.5-foot high precast concrete box culvert in an unnamed tributary to Slippery Rock Creek (CWF, perennial) on SR 2007, Section L01, Segment 0040, Offset 0000 approximately 0.95 mile northwest of the intersection of SR 2007 (Armstrong Road) and SR 488. The project will directly affect a total of 120 linear feet of stream channel.

ENVIRONMENTAL ASSESSMENTS

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

EA32-006. Robindale Energy Services, Inc., 7 Riverside Plaza, Blossburg, PA 16912. Dilltown Mine Reclamation Project in Brushvalley Township, **Indiana County**, Pittsburgh ACOE District (New Florence, PA Quadrangle N: 19.65 inches; W: 4.08 inches).

The applicant proposes to place and maintain fill in a reported 0.45 acre of wetland (PEM), 200 linear feet of an unnamed tributary within the Blacklick Creek Watershed (CWF) and 0.09 acre of open water in association with a mine reclamation project. The project will fill three abandoned mine surface pits and eliminate approximately 4,150 feet of highwall with beneficial use flyash, soil placement, grading and seeding. The project will convert these areas into unmanaged grassland. The entrance road to the site is off of SR 0056, approximately 4 miles north of its intersection with SR 0022

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

EA02-006CO. Houston-Starr Company, 300 Brushton Avenue, Pittsburgh, PA 15221. Monroeville Borough, **Allegheny County**, ACOE Pittsburgh District.

Project proposes to construct, operate and maintain a nonjurisdictional dam (detention basin no. 2) and to modify an existing nonjurisdictional dam (detention basin no. 1). The dams are across a tributary to Simpson Run in Monroeville Borough, Allegheny County. Detention basin no. 2 will impact approximately 100 linear feet of stream channel for stormwater management purposes. The embankment of detention basin no. 1 will be lowered so the reservoir will have a maximum depth of 14.27 feet. The dams are approximately 3,300 feet southwest of the intersection of Saunders Road (SR 2100) and Meadowbrook Road (Murrysville, PA Quadrangle N: 4.95 inches, W: 15.95 inches).

D43-009EA. Borough of Grove City, P. O. Box 110, Grove City, PA 16127. Pine Township, **Mercer County**, ACOE Pittsburgh District.

Project proposes to breach and remove an unnamed dam across Wolf Creek (CWF) to eliminate a threat to public safety and to restore the stream to a free flowing condition. The dam is directly under SR 208 approximately 500 feet east of the intersection of SR 208 and SR 173 (Grove City, PA Quadrangle N: 7.6 inches; W: 11.0 inches).

D54-043EA. Schuylkill County Municipal Authority, 221 South Centre Street, P. O. Box 960, Pottsville, PA 17901, Tremont Township, **Schuylkill County**. AOE Baltimore District.

Project proposes to breach and remove two unnamed dams across Poplar Creek (CWF) to eliminate a threat to public safety and to restore the stream to a free flowing condition. The dams are on the property of the Schuylkill County Municipal Authority approximately 3/4 mile southwest of the intersection of U. S. Route 209 and SR 125 (Pine Grove, PA Quadrangle N: 22.3 inches; W: 3.9 inches).

ACTIONS

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

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

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

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have

submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. Permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PAR100071R	Roselawn Robert Wagner 229 Table Rock Rd. Gettysburg, PA 17325	Cumberland Township Adams County	Rock Creed WWF	Y
PAR10I192R1	Grove Homes, Inc. 5751 Union Deposit Rd. Harrisburg, PA 17111	Lower Paxton Township Dauphin County	Beaver Creek WWF	Y
PA0080527 Sewage	Steven Oliver Oliver's Upper Lawn Mobile Home Community 20 Carriage Road Palmyra, PA 17078-3807	Lebanon County South Londonderry Township	UNT Conewago Creek 7G	Y
PA0247201 Industrial Waste	Charlotte Katzenmoyer City of Lancaster Bureau of Water 120 North Duke Street Lancaster, PA 17608	Lancaster County West Hempfield Township	Strickler Run 7G	Y
PA0030911 Sewage	Eastern Lancaster County School District Caernarvon Elementary School 669 E. Main Street, P. O. Box 609 New Holland, PA 17557-0609	Lancaster County Caernarvon Township	Conestoga River 7J	Y
PA0087912 (Industrial Waste)	George Elberti Eldorado Properties Corporation P. O. Box 2621 Harrisburg, PA 17105	Cumberland County Silver Spring Township	Surface drainage to Trindle Spring Run 7B	Y
PA0043443 Sewage	Todd Musser Alexandria-Porter Township Joint Sewer Authority P. O. Box 113 Alexandria, PA 16611-0113	Huntingdon County Porter Township	Frankstown Branch Juniata River 11A	Y
PA0083917 (Amendment 2) Industrial Waste	Samuel Kauffman Edge Rubber 811 Progress Road Chambersburg, PA 17201-3257	Franklin County Chambersburg Borough	UNT Conococheague Creek 13C	Y

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0084174 Industrial Waste	Edward Gormley Covance Research Products, Inc. 310 Swampbridge Road P. O. Box 7200 Denver, PA 17517	Lancaster County West Cocalico Township	UNT West Cocalico Creek 7J	Y
PA0084085 Sewage	John D. Walter 105 Carlisle Road Newville, PA 17241-0175	Cumberland County Upper Frankford Township	Bloser Creek 7J	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0209694 Nonmunicipal	Sherwood Retirement and Personal Care Home R. R. 1, Box 35A Canton, PA 17724	Bradford County Canton Township	Alba Creek SWP 4C	Y
PA0035599 Sewerage Nonpublic	Department of Transportation Bureau of Design P. O. Box 3060 Harrisburg, PA 17101-3060	Montour County Liberty Township	Unnamed tributary to Beaver Run 10D	Y
PA0035602 Sewerage Nonpublic	Department of Transportation Bureau of Design P. O. Box 3060 Harrisburg, PA 17101-3060	Montour County Liberty Township	Unnamed tributary to Beaver Run 10D	Y
PA0209481 Sewerage	John Glenn Sanitation, Inc. P. O. Box 683 Philipsburg, PA 16866-0683	Decatur Township Clearfield County	Shimel Run 8-D	Y
PA0111953 Sewerage Nonpublic	Guardian Elder Care Highlands Continuing Care Facility P. O. Box 10 LaPorte, PA 18626	Sullivan County LaPorte Borough	Unnamed tributary of Mill Creek 10B	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0026581 Sewage	Westmoreland Fayette Municipal Sewage Authority P. O. Box 126 Scottdale, PA 15683	Scottdale Borough Westmoreland County	Jacobs Creek	N
PA0026905 Sewage	Connellsville Municipal Authority P. O. Box 925 Connellsville, PA 15425	City of Connellsville Fayette County	Youghiogheny River	N
PA0090981 Sewage	German Township R. D. 1 Box 287 McClellandtown, PA 15458	German Township Fayette County	UNT of Dunlap Creek	Y
PA0095885 Sewage	Beverly Health Care Mountain View P. O. Box 138 Hillsdale, PA 15746	Montgomery Township Indiana County	Dry drainage swale of Painters Run	Y
PA0203688 Sewage	West Pike Run Township 238 Pike Run Drive Daisytown, PA 15427	West Pike Township Washington County	Pike Run	Y
PA0204285 Sewage	Homer D. Reesman 150 Reesman Court Waynesburg, PA 15370	Morgan Township Greene County	Tributary of South Fork Tenmile Creek	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0210196	Seneca Landfill, Inc. P. O. Box 080 Mars, PA 16046	Jackson Township Butler County	Connoquenessing Creek 20-C	Y

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0103551	DrakeWell Museum 202 Museum Lane Titusville, PA 16354-8902	Cherrytree Township Venango County	Oil Creek 16-E	Y
PA0034878	Springhill Estates Mobile Home Park 11822 West Lake Road East Springfield, PA 16411	Spring Township Crawford County	Unnamed tributary to Conneaut Creek 15	Y
PA0222470	Lundbert Treatment Facility Association R. D. 1 Box 114 Brockway, PA 15824	Snyder Township Jefferson County	Rattlesnake Creek 17-A	Y
PA0220876	Country Greens 10043 Peach Street Girard, PA 16417-0149	Elk Creek Township Erie County	East Branch of Conneaut Creek	Y

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

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

NPDES Permit No. PA0026859 A1, SEW, Pennsylvania American Water Company, 114 East Lincoln Highway, Coatesville, PA 19320, South Coatesville Borough, **Chester County**.

The following notice reflects changes made to the permit in addition to the charges in the notice published at 33 Pa.B. 4808 (September 24, 2003): The effluent limitation for CBOD₅ and phosphorus have been changed. The new limits are 11.07 mg/l for CBOD₅ (5-1 to 4-30) and 1.48 for phosphorus (4-1 to 10-31).

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

NPDES Permit No. PA0080039, Sewage, Carroll Valley Sewer and Water Authority, P.O. Box 718, Fairfield, PA 17320. This proposed facility is in Carroll Valley Borough, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to Toms Creek in Watershed 13-D.

NPDES Permit No. PA0247324, CAFO, Dale Rohrer, Rohrer Farms, LLC, 762 West Lexington Road, Lititz, PA 17543. This proposed facility is in Penn and Warwick Townships, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,636.2 AEU swine and pullet concentrated animal feeding operation.

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

NPDES Permit No. PA0252611, Industrial Waste SIC (4925), CNX Gas Company, LLC, 1800 Washington Road, Pittsburgh, PA 15241. This proposed facility is in Jackson Township, **Greene County**.

Description of Proposed Activity: Gas production and gathering.

NPDES Permit No. PA0252573, Sewage, Duane and Kathryn Huffman, 6507 Cumberland Highway, Meyersdale, PA 15552. This proposed facility is in Southampton Township, **Somerset County**.

Description of Proposed Action/Activity: Discharge from Huffman single residence sewage treatment plant to unnamed tributary of North Branch of Jennings Run.

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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

WQM Permit No. 1503423, Sewerage, Borough of Phoenixville, 140 Church Street, Phoenixville, PA 19460. This proposed facility is in Phoenixville Borough, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of an 1 1/2 diameter force main to serve five houses equipped with individual grinder pumps.

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

WQM Permit No. 4803405, Sewerage, Forks Township, 1606 Sullivan Trail, Easton, PA 18040. This proposed facility is in Forks Township, **Northampton County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit and modification of existing pump station.

WQM Permit No. 6403201, Industrial Waste, Fox Ledge, Inc., R. R. 1, Box 1230, Honesdale, PA 18431. This proposed facility is in Mount Pleasant Township, **Wayne County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit. Construction of industrial waste treatment facility for spray irrigation of flavored drink rinse wastewater.

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

WQM Permit No. 3603406, Sewerage, Northwestern Lancaster County Authority, 97 North Penryn Road, Manheim, PA 17545. This proposed facility is in Penn Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction/operation of the Cedar Hollow Pumping Station with two 180 gpm submersible pumps, valve vault, metering chamber, 6-inch force main, emergency generator and control building.

WQM Permit No. 2103408, Sewerage, **William J. Greene, Chairperson, Hampden Township Sewer Authority**, 230 South Sporting Hill Road, Mechanicsburg, PA 17055. This proposed facility is in Hampden Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction of a 16-inch diameter force main replacing the existing 12-inch force main. The force main connects to the existing interceptor north of the intersection of Carlisle Pike and 38th Street.

WQM Permit No. 2803407, Sewerage, **Donald Owens, Findlay Park, LLP**, 930 North East Street, Frederick, MD 21701. This proposed facility is in Mercersburg Borough and Peters Township, **Franklin County**.

Description of Proposed Action/Activity: Construction of Findlay Park pump station and sewer system.

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

WQM Permit No. 5603405, Sewerage, **Duane and Kathryn Huffman**, 6507 Cumberland Highway, Meyersdale, PA 15552. This proposed facility is in Southampton Township, **Somerset County**.

Description of Proposed Action/Activity: To construct a small flow sewage treatment plant designed for a three-bedroom house expected to generate 400 gallons of sewage per day.

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

WQM Permit No. 2503428, Sewerage, **Kenneth J. Mosier**, 446 East 5th Street, Erie, PA 16507. This proposed facility is in Conneaut Township, **Erie County**.

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

WQM Permit No. 2003430, Sewerage, **Edward C. Hajbura**, 306 Pontiac Avenue, Pittsburgh, PA 15237. This proposed facility is in Centerville Borough, **Crawford County**.

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

WQM Permit No. 4303417, Sewerage, **Thomas H. Fenton**, 1055 Hilltop Road, Greenville, PA 16125. This proposed facility is in West Salem Township, **Mercer County**.

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

NPDES Permit

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023903036	Center Square Associates P. O. Box 339 630 Skippack Pike Blue Bell, PA 19422-0339	Lehigh	Salisbury Township	Little Lehigh Creek HQ-CWF

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

NPDES Permit

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030603009	First Commonwealth Federal Credit Union P. O. Box 20450 Lehigh Valley, PA 18002	Berks	Maxatawny Township	Moselem Creek HQ

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 and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lackawanna County Taylor Borough	PAG2003504001	James Jones 9 Stauffer Industrial Park Taylor, PA 18517	Keyser Creek CWF	Lackawanna County Conservation District (570) 281-9495
Monroe County Smithfield Township	PAG2004503003	RGB Family LP 181 Winona Lakes East Stroudsburg, PA 18301	Sambo Creek TSF	Monroe County Conservation District (570) 629-3060
Northampton County Palmer Township	PAG2004803044	Atlantic Equity Van Buren Road LLC Attn: Brett Owings 485 Route 1 South Iselin, NJ 08830	Shoeneck Creek WWF	Northampton County Conservation District (610) 746-1971
Carroll Valley Borough Adams County	PAG200103021	Erin Flynn Ski Liberty Resort P. O. Box SKI Carroll Valley, PA 17320	UNT to Tom's Creek CWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Camp Hill Borough Cumberland County	PAG2002103049	Cedar-Camp Hill, LLC Camp Hill Mall Thomas Richey 524 Camp Hill Mall 32nd Street and Trindle Road Camp Hill, PA 17011	Cedar Run CWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 6 Carlisle, PA 17013 (717) 240-7812
Silver Spring Township Cumberland County	PAG2002103048	Evergreen II Max Marbain 700 West Main Street Mechanicsburg, PA 17055	Trindle Spring Run CWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 6 Carlisle, PA 17013 (717) 240-7812
Susquehanna Township Dauphin County	PAG2002203036	Joseph Dorbian 131 Stover Dr. Carlisle, PA 17013	Susquehanna River WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Todd Township Fulton County	PAG2002903004	McConnellsburg Borough Municipal Water Authority Mahlon L. Shimer, Chairperson P. O. Box 218 McConnellsburg, PA 17233	UNT to Big Cove Creek CWF	Fulton County Conservation District 216 N. 2nd Street, Suite 15 McConnellsburg, PA 17233 (717) 485-3547, Ext. 121
Fermanagh Township Juniata County	PAG2033404001	Don Haubert Sr. 15 Central Blvd. Camp Hill, PA 17011	Schweyer Run	Juniata County Conservation District R. R. 2 Box 302 Mifflintown, PA 17059 (717) 436-8953

NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lancaster City Lancaster County	PAG2003603131	Armstrong World Industries 401 W. Liberty Street Lancaster, PA 17603	Little Conestoga Creek WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Elizabeth Township Lancaster County	PAG2003603143	Paul Martin 220 Crest Road Lititz, PA 17543	Hammer Creek TSF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
East Hempfield Township Lancaster County	PAG2003603144	Vietnamese Christian Alliance Church 615 N. Marshall Street Lancaster, PA 17602	UNT to Swarr Run WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Manheim Township Lancaster County	PAG2003603150	Jon Warner 2768 Lititz Pike Lancaster, PA 17602	UNT to Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Upper Leacock Township Lancaster County	PAG2003604001	Amelia M. Stauffer Estate P. O. Box 3215 Lancaster, PA 17604	Mill Creek CWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Brecknock Township Lancaster County	PAG2003604002	Lewis Martin 1066 E. Pfeiffer Hill Road Stevens, PA 17578	Muddy Creek WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAG2003604003	Reading Road Corp. 529 Stevens Road Ephrata, PA 17522	UNT to Little Muddy Creek WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAG2003604004	Troxels Mechanical Inc. 3414 Montclare Street Laureldale, PA 19605	Little Muddy Creek WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAR1003873	High Industries Inc. 1853 William Penn Way Box 10008 Lancaster, PA 17605	Stoney Run WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
York Township York County	PAG2006703091	York Commons Garden Apartments Diana Markel, Shelter Development 218 N. Charles St. Baltimore, MD 21201	Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road, Suite E York, PA 17402 (717) 840-7430

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Penn Township York County	PAG2006703021	High Pointe North Woodhaven Building & Development 4219 Hanover Pike Manchester, MD 21102	Plum Creek WWF	York County Conservation District 118 Pleasant Acres Road, Suite E York, PA 17402 (717) 840-7430
Newberry Township York County	PAG2006703086	Rollong Hills Estates Homecroft Dev. Co. 6111 Davis Road Woodbine, MD 21797	Fishing Creek TSF	York County Conservation District 118 Pleasant Acres Road, Suite E York, PA 17402 (717) 840-7430
West Manchester Township York County	PAG2006703116	Eyes of York Dr. David Visco Adam Professional Center York, PA 17404	Willis Run WWF	York County Conservation District 118 Pleasant Acres Road, Suite E York, PA 17402 (717) 840-7430
Newberry Township York County	PAG2006704003	Newberry Farms Mobile Home Park Expansion York Community Management 332 Gosling Drive York, PA 17402	Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road, Suite E York, PA 17402 (717) 840-7430
Centre County Harris Township	PAG2001403028	Paradise Data Com 2300 S. Atherton St. State College, PA 16801	UNT Spring Creek CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Patton Township	PAG2001403051	Park Forest Centre P. O. Box 135 State College, PA 16803	UNT Big Hollow CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Harris Township	PAG2001403046	Springfield Commons 2583 Gateway Dr. Suite 140 State College, PA 16801	UNT Spring Creek CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Ferguson Township	PAG2001403049	S & A Corporate Headquarters 501 Rolling Ridge Dr. Suite 200 State College, PA 16801	UNT Big Hollow CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Clearfield Borough	PAG2001703020	Sheetz Inc. 5700 6th Ave. Altoona, PA 16602	W. Br. Susquehanna River WWF	Clearfield County 650 Leonard St. Clearfield, PA 16830 (814) 765-2629
Tioga County Delmar Township Wellsboro Borough	PAG200590321	Gary Butters 3465 W. Roosevelt Hwy. Mansfield, PA 16933	Bogden Brook/Kelsey Creek WWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801
Union County Gregg Township	PAG200603011	Union County Housing Authority 1610 Industrial Blvd. Lewisburg, PA 17837	UNT Susquehanna River	Union County Conservation District 88 Bull Run Crossing Suite 5 Lewisburg, PA 17837 (570) 523-8782

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Beaver County	PAG2000403020	James A. Riggio Beaver Falls Municipal Authority 1425 Eighth Avenue P. O. Box 400 Beaver Falls, PA 15010	Beaver River WWF	Beaver County Conservation District (724) 774-7090
Fayette County Dunbar Township	PAG2002603015	Fayette Area Coordinated Transportation 22 East Main Street Uniontown, PA 15401	Gist Run TSF	Fayette County Conservation District (724) 438-4497
Indiana County Young Township	PAG2003203009	Jack Lentz 12554 Rt. 286 Highway West Clarksburg, PA 15725	Reeds Run TSF	Indiana County Conservation District (724) 463-8547
Washington County North Franklin Township	PAG2006303034	Allegheny Power 800 Cabin Hill Dr. Greensburg, PA 15601-9442	UNT to Chartiers Creek WWF	Washington County Conservation District (724) 228-6774
Washington County Peters Township	PAG2006303037	Edward J. Waddell 35 Highland Road, Apt. 1404 Bethel Park, PA 15102	Brush Run WWF	Washington County Conservation District (724) 228-6774
Westmoreland County Hempfield Township	PAG2006503047	M & C Construction P. O. Box 577 New Stanton, PA 15672	Belson Run WWF	Westmoreland County Conservation District (724) 837-5271
Lawrence County Neshannock Township	PAG2003703009	Anthony Staph 2911 Wilmington Rd. New Castle, PA 16105	Neshannock Creek TSF	Lawrence County Conservation District (724) 652-4512
Warren County Sugar Grove Borough and Township	PAG2006203006	William DeCarbo 520 Friendship St. New Castle, PA 16101 Sugar Grove Area Sewage Authority R. D. 4, Box 205 Sugar Grove, PA 16350	Stillwater Creek CWF	Warren County Conservation District (814) 563-3117
<i>General Permit Type—PAG-4</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Chatham Township Tioga County	PAG045030	John R. and Nancy A. Thomas R. R. 4 Box 952 Little Marsh, PA 16950	Unnamed tributary of Crooked Creek CWF	Water Management Program Manager 208 West Third Street Suite 101 Williamsport, PA 1770 (570) 327 3666
New Centerville Borough Somerset County	PAG046166	James R Miller 199 Bridge Street Rockwood, PA 15557	Tributary of South Glade Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Conneaut Township Erie County	PAG048937	Kenneth J. Mosier 446 East 5th Street Erie, PA 16507	Unnamed tributary to Ashtabula Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lancaster Township Butler County	PAG048585	Gregory A. Hulbert 103 Hillside Drive Harmony, PA 16037	Unnamed tributary of Perry Lake and Scholars Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Centerville Borough Crawford County	PAG048938	Edward C. Hajbura 306 Pontiac Avenue Pittsburgh, PA 15237	Unnamed tributary to East Branch Oil Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
East Mead Township Crawford County	PAG048502	Pedro J. Figueroa 22368 West Oil Creek Road Meadville, PA 16335	Mill Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Salem Township Mercer County	PAG048934	Thomas H. Fenton 1055 Hilltop Road Greenville, PA 16125	Unnamed tributary to Big Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-5</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
City of Hermitage Mercer County	PAG058323	Shell Oil Products US 3139 Village Drive P. O. Box 1243 Waynesboro, PA 22980	Pine Hollow Run Watershed 20-A	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
New Vernon Township Mercer County	PAG058324	McQuiston's Truckstop 606 Georgetown Road Hadley, PA 16130	Unnamed tributary to Little Shenango River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Harborcreek Township Erie County	PAG058331	Exit 9 Sunoco 6122 Station Road Erie, PA 16510	Unnamed tributary to Six Mile Creek Watershed 15	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Borough of Stoneboro Mercer County	PAG058332	Dyes Service Station P. O. Box 335 Stoneboro, PA 16153-0335	Unnamed tributary to Sawmill Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Cornplanter Township Venango County	PAG058328	Pennzoil—Quaker State Company Plant No. 2 P. O. Box 99 Oil City, PA 16301	Oil Creek Watershed 16-E	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Hayfield Township Crawford County	PAG058356	Hatzo Citgo Station Estate of Leonard Hatzo 16869 SR 198 Saegertown, PA 16433	Unnamed tributary to Cussewago Creek Watershed 16-D	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Borough of Rouseville Cornplanter Township Venango County	PAG058357	Shell Oil Products US P. O. Box 99 Oil City, PA 16301	Oil Creek/Cherry Run Watershed 16-E	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Borough of North East	PAG058317	North East Service Plaza—Travel Centers of America 2300 Barrington Road, Suite 500 Hoffman Estates, IL 60195	Unnamed tributary to 20 Mile Creek Watershed 15	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-9

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
Metal Township Franklin County	PAG093541	Art Beidel Enterprises 11468 Creek Rd. Fannettsburg, PA 17221	Arthur R. Beidel Farm Metal Township Franklin County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-13

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG132242	Swoyersville Borough 675 Main Street Swoyersville, PA 18704	Luzerne	Swoyersville Borough	Abraham's Creek CWF	Y
PAG132208	South Abington Township P. O. Box 259 104 Shady Lane Road Chinchilla, PA 18410	Lackawanna	South Abington Township	Leggetts Creek TSF, CWF Summit Lake Creek TSF	Y
PAG132254	Lower Milford Township 7607 Chestnut Hill Church Road Coopersburg, PA 18036	Lehigh	Lower Milford Township	Licking Creek TSF UNT to Licking Creek TSF UNT to Unami Creek TSF Indian Creek WWF UNT to Indian Creek WWF Hosensack Creek CWF UNT to Hosensack Creek CWF Schmoutz Creek TSF Macoby Creek TSF UNT to Macoby Creek TSF Saucon Creek CWF UNT to Saucon Creek CWF	Y

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<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG132243	Exeter Borough Rear 201 Schooley Ave. Exeter, PA 18643	Luzerne	Exeter Borough	Susquehanna River WWF Hicks Creek CWF	Y
PAG132266	Yatesville Borough 33 Pittston Ave. Yatesville, PA 18640	Luzerne	Yatesville Borough	UNT to Susquehanna River CWF	Y
PAG132256	Old Forge Borough 314 S. Main St. Old Forge, PA 18518	Lackawanna	Old Forge Borough	St. Johns Creek CWF Mill Creek CWF Lackawanna River WWF	Y
PAG132231	Hanover Township 1267 Sans Souci Parkway Hanover Township, PA 18706	Luzerne	Hanover Township	Pine Creek CWF Solomon Creek CWF Nanticoke Creek CWF Warrior Creek CWF Susquehanna River WWF	Y
PAG132261	Borough of Nazareth 49 East Center Street Nazareth, PA 18064	Northampton	Nazareth Borough	Shoeneck Creek WWF	Y
PAG132225	Forty Fort Borough 1271 Wyoming Avenue Forty Fort, PA 18704	Luzerne	Forty Fort Borough	Abraham's Creek CWF Susquehanna River WWF	Y
PAG132252	Blakely Borough Municipal Building 1439 Main Street Peckville, PA 18452	Lackawanna	Blakely Borough	Lackawanna River TSF Hulls Creek CWF Wildcat Creek CWF Tinklepaugh Creek CWF	Y
PAG132248	Newport Township Municipal Building 1002 Center Street Wanamie, PA 18634	Luzerne	Newport Township	Newport Creek CWF	Y

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>	<i>Department Protocol (Y/N)</i>
PAG133534	Manheim Township 1840 Municipal Drive Lancaster, PA 17601	Lancaster	Manheim Township	Conestoga River WWF Little Conestoga Creek TJF WWF Cocalico Creek WWF Landis Run WWF Lititz Run WWF Bachman Run WWF Hubur Run CWF Kurtz Run CWF	Y

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<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG133541	East Lampeter Township Public Works 2205 Old Philadelphia Pike Lancaster, PA 17602	Lancaster	East Lampeter Township	Cocalico Creek WWF Conestoga River WWF Mill Creek WWF Pequea Creek WWF	Y
PAG133539	Lititz Borough 7 South Broad St. Lititz, PA 17543	Lancaster	Lititz Borough	Santo Domingo Creek Stream 7652 Segment 6418 WWF Lititz Run Stream 7646 Segment 6418 WWF Hubers Run Stream 7651 Segment 20000509-1325-JLR WWF Tributary to Lititz Run Stream 07649 Setment 20000515-1300-KEB WWF Tributary to Lititz Run Stream 07650 Segment 7650_0_0.9902 WWF	Y
PAG133533	Mountville Borough 21 E Main St. P. O. Box 447 Mountville, PA 17554	Lancaster	Mountville Borough	West Branch Little Conestoga Creek TSF Strickler Run WWF	Y
PAG133538	Ephrata Township 256 Akron Road Ephrata, PA 17522	Lancaster	Ephrata Township	Middle Creek WWF Cocalico Creek WWF Conestoga River WWF Hammer Creek TSF Meadow Run WWF	Y
PAG133537	Manor Township 950 W. Fairway Dr. Lancaster, PA 17603	Lancaster	Manor Township	Conestoga River WWF Little Conestoga Creek WWF W. Branch Little Conestoga Creek TSF	Y
PAG133681	Upper Leacock Township 36 Hillcrest Ave. P. O. Box 325 Leola, PA 17540	Lancaster	Upper Leacock Township	Mill Creek WWF Conestoga River WWF	Y

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<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG133535	West Eart Township 157 W. Metzler Rd. Brownstown, PA 17508	Lancaster	West Earl Township	Conestoga River Segment 971002-0959-JLR WWF Conestoga River Segment 20000607-0945-KEB WWF Conestoga River Stream 7755 Segment 20000607-1250-KEB WWF Conestoga River Segment 971002-0943-JLR WWF Groff Creek Stream No. 7749 Segment 20000530-1017-KEB WWF	Y
PAG133566	East Earl Township 4610 Division Highway East Earl, PA 17519	Lancaster	East Earl Township	Conestoga River WWF UNT to Conestoga River WWF Mill Creek CWF UNT to Mill Creek CWF	Y
PAG133565	Warwick Township 315 Clay Rd. P. O. Box 308 Lititz, PA 17543	Lancaster	Warwick Township	Lititz Run WWF UNT to Lititz Run WWF UNT to Cocalico Creek WWF Huber Run CWF Santo Domingo, New Haven Run and Bachman Run Not Identified	Y
PAG133617	Columbia Borough 308 Locust St. P. O. Box 509 Columbia, PA 17512	Lancaster	Columbia Borough	Susquehanna River WWF Shawnee Run WWF Stamans Run WWF	Y
PAG133584	Lancaster Township 1240 Maple Ave. Lancaster, PA 17603	Lancaster	Lancaster Township	Conestoga River WWF Little Conestoga Creek WWF	Y
PAG133569	Earl Township 517 N. Railroad Ave. New Holland, PA 17557	Lancaster	Earl Township	Mill Creek CWF UNT to Mill Creek CWF Groff Run tributary to Mill Creek CWF UNTs to Conestoga River WWF UNTs to Groff Run 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>Department Protocol (Y/N)</i>
PAG133568	West Lampeter Township 852 Village Rd. P. O. Box 237 Lampeter, PA 17537	Lancaster	West Lampeter Township	Mill Creek, UNTs to Mill Creek WWF Big Spring Run, UNTs to Big Spring Run WWF Conestoga River, UNTs to Conestoga WWF Pequea Creek WWF UNTs to Pequea Creek CWF	Y
PAG133567	Penn Township 97 N. Penryn Rd. Manheim, PA 17545	Lancaster	Penn Township	Little Conestoga Creek TSF UNTs to Conestoga Creek TSF Chickies Creek WWF UNTs to Chickies Creek WWF Santo Dominigo, tributary to Lititz Run WWF	Y
PAG133532	Paradise Township 196 Black Horse Rd. P. O. Box 40 Paradise, PA 17562	Lancaster	Paradise Township	Pequea Creek WWF Eshleman Run CWF Houston Run CWF UNT to Pequea Creek, PA897 to Eshleman Run CWF UNT to Pequea Creek, Eshleman Run to RM3.35 WWF	Y
PAG133592	Denver Borough 501 Main St. Denver, PA 17517	Lancaster	Denver Borough	Cocalico Creek Stream 7656 Segment 971023-1031-SAW WWF Little Cocalico Creek Stream 7719 Segment 71105-1000-SAW TSF	Y

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act.

Southeast Region: Water Supply Management Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Operations Permit issued to **Warminster Municipal Authority**, 45 Gibson Avenue, Warminster, PA 18974, PWS ID 1090069, Warminster Township, **Bucks County** on January 6, 2004, for the operation of facilities approved under Construction Permit No. 0902502.

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

Permit No. 0603510, Public Water Supply.

Applicant	Pennsylvania American Water Company
Municipality	Sinking Spring Borough
County	Berks
Type of Facility	Penn District Well 18A reconstruction to include the demolition of existing well building, chlorination system, yard piping, chlorine contact tank and other accessories. New prefabricated well building, chlorine contact tank, backup generator, yard piping, chlorine gas scrubber, control system and related accessories are to be installed.
Consulting Engineer	Steven E. Riley, P. E. Spotts Stevens and McCoy 345 North Wyomissing Blvd. Reading, PA 19530 0307
Permit to Construct Issued:	December 17, 2003

Permit No. 0103506, Public Water Supply.

Applicant	Poosum Valley Municipal Authority
Municipality	Menallen Township
County	Adams
Type of Facility	Construction Permit for a proposed microfiltration facility. Proposal includes installation of a new membrane filtration facility and relocation of existing chlorine disinfection equipment.
Consulting Engineer	Janet R. McNally, P. E. William F. Hill & Assoc., Inc. 207 Baltimore St. Gettysburg, PA 17325
Permit to Construct Issued	December 4, 2003

Permit No. 0103503, Public Water Supply.

Applicant	Knouse Foods Cooperative Inc.
Municipality	Tyrone Township
County	Adams

Type of Facility

Construction Permit for modification of the existing public water system serving the Gardners facilities. Revised treatment will consist of aeration, pH adjustment via potassium hydroxide, zinc orthophosphate addition for lead and copper control. The project will also include a change from gas chlorine to sodium hypochlorite disinfection.

Consulting Engineer

Janet R. McNally, P. E.
William F. Hill & Assoc., Inc.
207 Baltimore St.
Gettysburg, PA 17325

Permit to Construct Issued

December 30, 2003

Operations Permit issued to **The Links at Gettysburg Utility Company LLC**, 7010057, Mt. Joy Township, **Adams County** on January 14, 2004, for the operation of facilities approved under Construction Permit No. 0103510 MA.

Operations Permit issued to **Western Berks Water Authority**, 3060066, Spring Township, **Berks County** on December 17, 2003, for the operation of facilities approved under Construction Permit No. 0603511 MA.

Operations Permit issued to **Municipal Authority of the Borough of Lewistown**, 4440010, Derry Township, **Mifflin County** on January 15, 2004, for the operation of facilities approved under Construction Permit No. 4401501 MA.

Operations Permit issued to **Kutztown Borough**, 3060041, Maxatawny Township, **Berks County** on January 7, 2004, for the operation of facilities approved under Construction Permit No. 0601520.

Operations Permit issued to **The Links of Gettysburg Utility Company LLC**, 7010057, Mt. Joy Township, **Adams County** on January 14, 2004, for the operation of facilities approved under Construction Permit No. 0102502.

Operations Permit issued to **Leola Sewer Authority**, 7360140, Upper Leacock Township, **Lancaster County** on December 18, 2003, for the operation of facilities approved under Construction Permit No. 3603512 MA.

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

Permit No. Minor Amendment—Construction. Public Water Supply.

Applicant	Bellefonte Borough Authority Robert Davis, Chairperson 236 West Lamb Street Bellefonte, PA 16823
Borough	Bellefonte
County	Centre
Type of Facility	PWS—Construction of the fluoride feed system for the Bellefonte Borough Authority.
Permit to Construct Issued	January 16, 2004

Permit No. Minor Amendment—Operation. Public Water Supply.

Applicant **Bellefonte Borough Authority**
Robert Davis, Chairperson
236 West Lamb Street
Bellefonte, PA 16823

Borough Bellefonte

County **Centre**

Type of Facility PWS—Operation of the fluoride feed system for the Bellefonte Borough Authority.

Permit to Operate Issued January 16, 2004

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

Permit No. 2703502, Public Water Supply.

Applicant **Pennsylvania Suburban Water Company**

Borough or Township Jenks Township

County **Forest**

Type of Facility PWS

Consulting Engineer Jack N. Walter, P. E.

Permit to Construct Issued January 14, 2004

Operations Permit issued to **Vernon Township Water Authority**, 16678 McMath Road, Meadville, PA 16335, PWS ID 6200072, Vernon Township, **Crawford County** on January 12, 2004, for the operation of facilities approved under Construction Permit No. 2088503-MA1.

Operations Permit issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, PWS ID 5100031, Connoquenessing Borough and Connoquenessing Township, **Butler County** on January 16, 2004, for the operation of facilities approved under Construction Permit No. 1077501-T1.

STORMWATER MANAGEMENT**Action on plans submitted under the Storm Water Management Act (32 P. S. §§ 680.1—680.17)**

Bureau of Watershed Management, P. O. Box 8555, Harrisburg, PA 17105-8555.

Plan No. 135:44, Kish Creek, Honey Creek, Laurel Run Stormwater Management Plan, as submitted by **Mifflin County**, was approved on December 22, 2003

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>
East Providence Township	P. O. Box 155 Breezewood, PA 15535	Bedford

Plan Description: Approval of a revision on January 12, 2004, to the Official Plan of East Providence Township, Bedford County by Ruth Colledge. Project involves construction of a small flow treatment facility to serve an existing single-family dwelling 1/8 mile east of the intersection of SR 05089 and SR 05040. Treated effluent is to be discharged into a dry stream channel that empties into Tub Mill Run. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the owner as appropriate.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988**Settlement under the Comprehensive Environmental Response, Compensation and Liability Act and the Hazardous Sites Cleanup Act Hanover Township, Lehigh 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 a Mutual Release and Settlement Agreement with Concept Sciences, Inc., PPT Research, Inc., Irl E. Ward, Jr., Brian D. Heath, Lehigh Realty Associates, III, James H. Redington, John Adams and the Estate of Jacob Quick c/o Judith Quick (Defendants). The proposed Mutual Release and Settlement Agreement concerns settlement of the Department's claimed costs that were incurred subsequent to an interim response action conducted by the Department at the Concept Sciences, Inc. facility (Site), a former chemical manufacturing facility. The Site was at 749 Roble Road, Lehigh Valley Industrial Park III, Hanover Township, Lehigh County. The interim response action was initiated on February 19, 1999, in response to an explosion at the Site.

The Department has agreed to accept \$300,000 in settlement of the Defendants' alleged liability for response costs at the Site.

This notice is provided under section 1113 of the HSCA (35 P. S. § 6020.1113). Section 1113 of the HSCA provides that the settlement shall become final upon the filing of the Department's response to significant written comments. The proposed Mutual Release and Settlement Agreement, which contains the specific terms of the settlement, is available for public review and comment. The proposed Mutual Release and Settlement Agreement can be examined from 8 a.m. to 4 p.m., Monday through Friday, at the Department's Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711 by contacting Woodrow Cole at (570) 826-2511 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). A public comment period on the proposed Mutual Release and Settlement Agreement will extend for 60 days from the date of publication. The Department will accept written comments concerning the proposed Mutual Release and Settlement Agreement until April 1, 2004. Comments concerning the proposed Mutual Release and Settlement Agreement can be sent to Woodrow Cole at the previous 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; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Saldi Residence, Holland Township, **Bucks County**. Charlene R. Drake, React Environmental Services, Inc., 6901 Kingsessing Ave., Philadelphia, PA 19142, on behalf of Tom Saldi, 1233 Buck Rd., Holland, PA, has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report was submitted within 90 days of the release is intended to document remediation of the site to meet the Statewide Health Standard.

Valley Forge General Hospital, Operable Unit 1, Schuylkill Township, **Chester County**. Scott McClelland, URS Corp., 7101 Wisconsin Ave., Suite 700, Bethesda, MD 20814, on behalf of Kristine Carson, General Services Administration, Property Disposal Div., (4PR) 401 W.

Peachtree St., Suite 2528, Atlanta GA, has submitted a Final Report concerning remediation of site soil contaminated with inorganics and groundwater contaminated with chlorinated solvents, inorganics and other organics. The report is intended to document remediation of the site to meet Site-Specific Standards. This is a revision to the notice published at 34 Pa.B. 261 (January 10, 2004).

Valley Forge General Hospital, Operable Unit 2, Schuylkill Township, **Chester County**. Scott McClelland, URS Corp., 7101 Wisconsin Ave., Suite 700, Bethesda, MD 20814, on behalf of Phoenixville Area School District, George Quay, 1120 Gay St., Phoenixville, PA 19460, has submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents, MTBE and other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former Ennis Oil & Burner Service Terminal, Chester Heights, **Delaware County**. Jason Plucinski, Chester Environmental Services, Inc., 6901 Kingsessing Ave., Philadelphia, PA 19142, on behalf of James R. and David Ennis Partnership, Rte. 1 and Valleybrook Rd., Chester Heights, PA 19017, has submitted a Final Report Addendum concerning remediation of site soil contaminated with benzene and groundwater contaminated with lead, benzene, dichloroethane, 1, 2 and ethylene dibromide. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Caum Residence, Horsham Township, **Montgomery County**. Jennifer L. Stafford, P. G., Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Ms. Caum, 420 Johnson Ave., Horsham, PA, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil no. 2. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standard.

Swedeland Road Substation, PECO Energy, Upper Merion Township, **Montgomery County**. Bryan R. Sladky, P. G., PECO Energy Co., 2301 Market St., P. O. Box 8699, Philadelphia, PA 19101-8699, on behalf of PECO/Excelon, 2301 Market St., Philadelphia, PA 19101, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with heavy metals, BTEX, PAH, VOC and SVOC. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

Northeast Regional Field Office, Joseph A. Brogna, Environmental Cleanup Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Jeff Lewis Property, Blooming Grove Township, **Pike County**. Salvatore Sciascia, President, S & M Management, Inc., P. O. Box 1429, Milford, PA 18337 has submitted a Final Report (on behalf of Jeff Lewis, East 74th Street, New York, NY) concerning the remediation of soils suspected to have been contaminated with home heating oil. The report was submitted to demonstrate attainment of the Residential Statewide Health Standard. A Notice of Intent to Remediate was simultaneously submitted.

PPL—Wescosville Substation (Cetronia Road), Upper Macungie Township, **Lehigh County**. PPL Electric Utilities, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found or suspected to be contaminated with PCBs. The report was submitted to demonstrate attainment of the Statewide Human Health Standard.

Exide Technologies Property—Dunmore Plant, Dunmore Borough, **Lackawanna County.** Sean Gallagher, Project Manager, Gannett Fleming Inc., 202 Wall Street, Princeton, NJ 08540 has submitted a combined Remedial Investigation Report, Cleanup Plan and Final Report (on behalf of Exide Technologies, 3000 Montrose Avenue, Reading, PA 19605) concerning the characterization and remediation of site soils found or suspected to be contaminated with lead, chlorinated solvents and other organics and fuel oil nos. 2 and 4—6. The reports were submitted in partial fulfillment of the Nonresidential Statewide Health Standard and the Site-Specific Standard.

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

PPL Harrisburg Substation, City of Harrisburg, **Dauphin County.** PPL Services Corporation, Two North 9th Street, GENTW17, Allentown, PA 18101 submitted a Final Report concerning remediation of site soils contaminated with PCBs. The report is intended to document remediation of the site to the Statewide Health Standard.

PPL Spring Substation, Sinking Spring Borough, **Berks County.** PPL Services Corporation, Two North 9th Street, GENTW17, Allentown, PA 18101, submitted a Final Report concerning remediation of site soils contaminated with PCBs. The report is intended to document remediation of the site to the Statewide Health Standard.

Defense Distribution Depot Susquehanna PA, Former Aircraft Maintenance Shop, Fairview Township, **York County.** Defense Distribution Depot Susquehanna, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002, has submitted a Remedial Investigation and a Risk Assessment Report concerning remediation of site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Site-Specific Standard.

Riverview Architectural Products, West Manchester Township, **York County.** Langan Engineering & Environmental Services, Inc., 30 South 17th Street, Suite 1500, Philadelphia, PA 19103-4005, on behalf of KADG General Partnership, c/o Riverview Architectural Products, Inc., 268 West Beaver Street, Suite 107 B, Hellam, PA 17406 and Trolley Road, LP, 1420 Sixth Avenue, York, PA 17402 has submitted a Final Report concerning remediation of site soils contaminated with PAHs and VOCs and groundwater contaminated with VOCs. The report is intended to document remediation of the site to the Statewide Health Standard.

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

SMS Sutton, Bellefonte Borough, **Centre County.** Chambers Environmental Group, Inc., on behalf of SMS Eumoco, Inc., 234 South Potter Street, Bellefonte, PA 16823, has submitted a Final Report concerning soil and groundwater contaminated with lead and inorganics. This Final Report is intended to demonstrate remediation of the site to meet the Site-Specific Standard.

The Pennsylvania State University—Eastview Terrace Housing Complex—Soil, State College Borough, **Centre County.** Meiser & Earl, Inc., on behalf of The Pennsylvania State University, Office of Physical Plant, University Park, PA 16802, has submitted a Final Report concerning soil contaminated with fuel oil no. 2. This Final Report is intended to demonstrate attainment of the Statewide Health Standard.

PPL Bloomsburg Substation, Town of Bloomsburg, **Columbia County.** PPL Services Corporation, 2 North

9th Street, GENTW17, Allentown, PA 18101 has submitted a Final Report concerning soil contaminated with PCBs. This Final Report is intended to demonstrate attainment of the Statewide Health Standard. See other information in the Applications section of this *Pennsylvania Bulletin*.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Westinghouse Electric Company Specialty Metals Plant, Derry Township, **Westmoreland County.** William A. Baughman, Cummings/Riter Consultants Inc. (on behalf of Marsha L. Bayne, Westinghouse Electric Company, R. D. 4, Box 333, Westinghouse Road, Blairsville, PA 15717) has submitted a Remedial Investigation Report and a Risk Assessment Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX and solvents. The reports are intended to document remediation of the site to meet the Site Specific Standard.

Walnut Street Development Project, City of McKeesport, **Allegheny County.** Joseph Scalamogna, P. G., 808 Wellington Drive, Mars, PA 16046 (on behalf of McHolme Builders, Inc., 315 Payday's Drive, Elizabeth, PA 15037) has submitted a Remedial Investigation Report, Risk Assessment Report and a Cleanup Plan concerning remediation of site soil contaminated with lead and chromium. The reports are intended to document remediation of the site to meet the Site Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential

remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Upper Dublin Township, Fort Washington Borough and Upper Dublin Township, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Upper Dublin Township, Attn: Paul Leonard, 801 Loch Alsh Ave., Fort Washington, PA 19034, has submitted a combined Remedial Investigation/Final Report concerning the remediation of site groundwater contaminated with BTEX and PAH. The combined report demonstrated attainment of Site-Specific Standards and was approved by the Department on January 7, 2004.

Laramie Tire Site, Norristown Borough, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of GHR & Assoc./MAACO, 1050 Bethlehem Pk., Montgomeryville, PA, has submitted a revised Final Report concerning the remediation of site groundwater contaminated with BTEX and PAH. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 14, 2004.

Northeast Region: Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Buckeye Pipe Line Company—Dupont Station, Pittston Township, **Luzerne County**. Jason Mengel, Environmental Coordinator, Buckeye Pipe Line Company, LP, 5002 Buckeye Road, Emmaus, PA 18049 submitted a Final Report concerning the remediation of soils and groundwater found or suspected to have been contaminated with diesel fuel, jet fuel, kerosene and/or unleaded gasoline. The report documented attainment of the Non-residential Statewide Health Standard and was approved on January 8, 2004.

DeCusatis, Katchmarik and City of Hazleton Properties, City of Hazleton, **Luzerne County**. James Sposito, P. G., Quad Three Group, Inc., 72 Glenmaura National Boulevard, Moosic, PA 18507 submitted a Final Report concerning the remediation of soils accidentally contaminated with no. 2 home heating fuel oil. The report

was submitted within 90 days of the release. The report documented attainment of the Residential Statewide Health Standard and was approved on January 7, 2004.

ConAgra Foods (a/k/a Saputo Cheese—1002 MacArthur Road), Whitehall Township, **Lehigh County**. Marjory Rinaldo-Lee, P. G., President, GeoLogic NY Inc., P. O. Box 5080, Cortland, NY 13045, submitted a Final Report (on behalf of ConAgra Foods, 2001 Butterfield Road, Downers Grove, IL 60515) concerning the remediation of soils and groundwater found or suspected to have been contaminated with no. 2, 4 and 6 fuel oil constituents. The report was documented attainment of the Statewide Health Standard and was approved on January 8, 2004.

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

PPL West Williamsport Substation, City of Williamsport, **Lycoming County**. PPL, 2 North 9th Street, Allentown, PA 18101 has submitted a Final Report concerning soil contaminated with PCBs. This Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on January 8, 2004.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Hankison International, Chartiers Township, **Washington County**. Karen E. Souza, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Hankison International, 75 Museum Road, Washington, PA 15301 and Hansen, Inc., 2600 Neville Road, Pittsburgh, PA 15225) has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals and PAHs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 5, 2003.

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

Central Chemical Site, Butler Township, **Butler County**. Civil & Env. Consultants, Inc., 333 Baldwin Rd., Pittsburgh, PA 15205-9702 on behalf of CDC Env. Inc., 112 Woody Dr., Butler, PA 16001, has submitted a Baseline Remedial Investigation Report concerning the remediation of soil and groundwater contaminated with organics, other organics and pesticides. The Report was approved. Baseline Report demonstrated attainment of the Special Industrial Standards and was approved by the Department on January 15, 2004.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Registration Revoked under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.

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

General Permit Registration No. WMGR011M001. Residual Recovery, Inc., 9 Andrews Road, Malvern, PA 19355. Registration to operate under General Permit No.

WMGR011M001 for processing of spent ethylene glycol base antifreeze in mobile processing units prior to use as reconditioned antifreeze. The registration was revoked on August 15, 2003, by Central Office at the request of Residual Recovery, Inc.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101312. Waste Management of Central PA, 4300 Industrial Park Road, Camp Hill, PA 17011-5749, Coal Township Transfer Station in Coal Township, Northumberland County. This permit modification for the implementation of a Radiation Protection and Action Plan was issued by the Williamsport Regional Office on December 4, 2003.

Persons interested in reviewing the permit should contact John C. Hamilton, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

Permits terminated under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate solid waste processing or disposal area or site.

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

Permit ID No. 400671. Suburban General Hospital, 100 South Jackson Avenue, Pittsburgh, PA 15202. The solid waste permit for incineration of municipal waste at Suburban General Hospital, Bellevue Borough, Allegheny County, has been terminated on January 13, 2004, at the request of the permittee.

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; James Parette, New Source Review Chief, (570) 826-2531.

52-323-001GP: LP Cylinder Service, Inc. (Box 1576, Shohola, PA 18458) on January 12, 2003, to construct and

operate a burn-off oven and associated air cleaning device at their facility in Shohola Township, **Pike County.**

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

GP3-38-03014: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104) on January 16, 2004, was authorized to operate a portable nonmetallic mineral processing plant under GP3 in North Londonderry Township, **Lebanon County.**

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

32-00373: Phillips Production Co. (502 Keystone Drive, Warrendale, PA 15086) on January 12, 2004, to install a natural gas fired internal combustion engine to operate a natural gas production well booster compressor at McKee Compressor Station in Rayne Township, **Indiana County.**

32-00374: Phillips Production, Co. (502 Keystone Drive, Warrendale, PA 15086) on January 12, 2004, to install a natural gas fired internal combustion engine to operate a natural gas production well booster compressor at Lightcap Compressor Station in Rayne Township, **Indiana County.**

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

27-027: PA General Energy—Allegheny National Forest WR 5107 (SR 127, Marienville, PA 16239) on January 8, 2004, to operate a compressor engine in Howe Township, **Forest County.**

42-00205: D and D Stone Co. (Route 6 East, Port Allegheny, PA 16743) on January 14, 2004, to operate a portable mineral processing plant in Liberty Township, **McKean County.**

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Roger Fey, Chief, (215) 823-7584.

AMS 03069: Mercy Health System—Nazareth Hospital (2601 Holme Avenue, Philadelphia, PA 19152) on January 15, 2004, to install a no. 2 oil and natural gas fired boiler in the City of Philadelphia, **Philadelphia County.**

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Thomas McGinley, New Source Review Chief, (610) 832-6242.

23-0064: Lawn Croft Cemetery (1000 Ridge Road, Linwood, PA 19061) on January 9, 2004, to operate a cremator in Lower Chichester Township, **Delaware County.**

46-0091: Sunoco Partners Marketing and Terminals, LP (3290 Sunset Lane, Willow Grove, PA 19090) on January 9, 2004, to operate a vapor combustion unit in Upper Moreland Township, **Montgomery County.**

23-0030: Swarthmore College (500 College Avenue, Swarthmore, PA 19081) on January 16, 2004, to operate a gas engine driven chiller in Swarthmore Borough, **Delaware County.**

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

35-399-040: Keystone Sanitary Landfill, Inc. (P. O. Box 249, Dunmore, PA 18512) on January 13, 2004, to install an air cleaning device at their leachate pretreatment plant in Dunmore and Throop Boroughs, **Lackawanna County**.

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

37-0237A: Essroc Cement—McQuiston Plant (300 Small Ferry Road, Bessemer, PA 16112) on January 6, 2004, to reactivate a limestone crushing and screening plant controlled with a baghouse in North Beaver Township, **Lawrence County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Roger Fey, Chief, (215) 823-7584.

AMS 02184: Sunoco Inc.—R and M (3144 Passyunk Avenue, Philadelphia, PA 19145) authorized to install a hydrodesulfurization plant in Philadelphia, **Philadelphia County**.

AMS 03012: Tenet Health Systems—Roxborough LLC (5800 Ridge Avenue, Philadelphia, PA 19128) authorized to install three boilers and three emergency generators in Philadelphia, **Philadelphia County**.

AMS 03124: Sunoco Inc.—R and M (3144 Passyunk Avenue, Philadelphia, PA 19145) authorized to install a selective hydrogenation unit in Philadelphia, **Philadelphia County**.

AMS 03164: Bianchi Industrial Services (208 Longbranch Road, Suite 300, Syracuse, NY 13209) authorized to install one 150-ton per hour portable concrete crusher temporarily at 67th and Elmwood Street, Philadelphia, **Philadelphia County**.

AMS 03165: Naval Surface Warfare Center (5001 South Broad Street, Code 357, Philadelphia, PA 19112) authorized to install a marine gas turbine test cell in Philadelphia, **Philadelphia County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-0014C: Knoll, Inc. (1235 Water Street, P. O. Box 157, East Greenville, PA 18041) on January 9, 2004, to operate a cyclonic baghouse in Upper Hanover Township, **Montgomery County**.

46-0041A: Jefferson Smurfit Corp.—US (1035 Longford Road, Phoenixville, PA 19460) on January 9, 2004, to operate a lithographic printing press in Upper Providence Township, **Montgomery County**.

46-0037I: Cabot Supermetals (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on January 15, 2004, to operate building 55, Ta/Nb production in Douglass Township, **Montgomery County**.

09-0073A: Clearview Structural Steel (1946 Cherry Lane, Souderton, PA 18964) on January 15, 2004, to operate two blasting booths in Hilltown Township, **Bucks County**.

15-0004C: Reynolds Metals Co. (520 Lincoln Avenue, Downingtown, PA 19335) on January 15, 2004, to operate a new rotogravure printing press in Downingtown Borough, **Chester County**.

15-0004B: Reynolds Metals Co. (520 Lincoln Avenue, Downingtown, PA 19335) on January 15, 2004, to operate a graphic arts rotogravure press in Downingtown Borough, **Chester County**.

46-0003A: Stroehmann Bakeries, Inc. (1810 East Ridge Pike, Norristown, PA 19404) on January 15, 2004, to operate a catalytic oxidizer in Plymouth Township, **Montgomery County**.

23-0063A: Department of Corrections (2520 Lisburn Road, P. O. Box 598, Camp Hill, PA 17001) on January 15, 2004, to operate a boiler in City Of Chester, **Delaware County**.

09-0073: Clearview Structural Steel (1946 Cherry Lane, Souderton, PA 18964) on January 14, 2004, to operate two paint spray booths in Hilltown Township, **Bucks County**.

46-0014B: Knoll, Inc. (1235 Water Street, P. O. Box 157, East Greenville, PA 18041) on December 30, 2003, to operate a tornado dust collector in Upper Hanover Township, **Montgomery County**.

46-0025C: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) on January 6, 2004, to operate a waste incinerator in Upper Merion Township, **Montgomery County**.

46-0005M: Merck and Co., Inc. (Sumneytown Pike, P. O. Box WP20, West Point, PA 19486) on January 14, 2004, to operate a natural gas-fired combustion turbine in Upper Gwynedd Township, **Montgomery County**.

15-0004D: Reynolds Metals Co. (520 Lincoln Avenue, Downingtown, PA 19335) on December 30, 2003, to operate four film seaming machines in Downingtown Borough, **Chester County**.

09-0015C: Rohm and Haas Co. (200 Route 413, Bristol, PA 19007) on December 30, 2003, to operate a thermal oxidizer in Bristol Township, **Bucks County**.

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

ER-22-05012: ISG Steelton, Inc. (215 South Front Street, Steelton, PA 17113) on January 16, 2004, for emission reduction credits for rail mill heat treatment in Steelton Borough, **Dauphin County**. The ERC's Plan Approval was issued to reflect the change of ownership from Bethlehem Steel Corporation to ISG Steelton, Inc. This is Revision No. 1 of the approval.

22-301-058: Department of Agriculture (2301 North Cameron Street, Harrisburg, PA 17110) on January 5, 2004, to construct an animal health laboratory multichambered incinerator, controlled by a Venturi wet scrubber and a mist eliminator in Susquehanna Township, **Dauphin County**. This plan approval was extended.

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

26-00547A: Mypodiamond, Inc. (1101 Mount View Drive, Smithville, PA 15478) on January 14, 2004, to construct an industrial diamond plant in Georges Township, **Fayette County**. This plan approval was extended.

63-00629A: Better Materials Corp. (Salem Place, Suite 340, 390 Route 22, Delmont, PA 15626) on January 4, 2004, to construct an asphalt plant in Somerset Township, **Washington County**. This plan approval was extended.

63-307-027: American Iron Oxide Production Co. (Foster Plaza, No. 7, 661 Andersen Drive, Pittsburgh, PA 15220) on January 12, 2004, to construct an iron oxide plant in Allenport Borough, **Washington County**. This plan approval was extended.

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

61-185A: Heath Oil Co. (Route 8, Barkeyville, PA 16038) on January 9, 2004, to install a portable oil refinery in Barkeyville, **Venango County**.

Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

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

20-00123: Lord Corp.—Mechanical Products Division (124 Grant Street, Cambridge Springs, PA 16403) on January 12, 2004, to reissue a Title V operating permit to operate a fabricated Rubber products manufacturing facility in the Borough of Cambridge Springs, **Crawford County**.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-00114: Profiners, Inc. (2299 Amber Dr. Hatfield, PA 19440) on January 7, 2004, to operate a natural minor operating permit in Hatfield Township, **Montgomery County**.

09-00074: PCR Acquisitions d/b/a Campania International, Inc. (401 Fairview Avenue, Quakertown, PA 18951) on January 7, 2004, to operate a synthetic minor operating permit in Quakertown Borough, **Bucks County**.

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

36-03012: Herr and Sacco, Inc. (P. O. Box 99, Landisville, PA 17538) on January 12, 2004, for operation of their paint spray booth, an outdoor painting area and a sandblasting booth in East Hempfield Township, **Lancaster County**.

36-03048: Hubbard Feeds, Inc. (3349 Hempland Road, Lancaster, PA 17601) on January 15, 2004, for operation of their feed mill in East Hempfield Township, **Lancaster County**.

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

65-00902: Pace Industries, Inc.—Airo Die Casting, Inc.—West Plant (450 New Latrobe/Derry Road, Loyalhanna, PA 15661) on January 14, 2004, to operate their plant in Derry Township, **Westmoreland County**.

The facility's major sources of emissions include four shot blasting units, finishing equipment (sanders, polishers, and the like), a hand sanding/blasting room, a parts wash system, a powder paint booth, a conventional paint spray booth, a dryoff and curing oven, a coating rack burn-off oven and a wax coating spray booth.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

40-310-012C: Pennsy Supply, Inc. (1 Clear Spring Road, Annville, PA 17003) on January 14, 2004, to modify a stone crushing operation and associated air cleaning device by reconfiguration and elimination of process equipment at their facility at Old Boston Road, Jenkins Township, **Luzerne County**.

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

08-322-001A: Northern Tier Solid Waste Authority (US Route 6, Burlington, PA 18814) on January 14, 2004, to incorporate conditions established in Plan Approval 8-322-001D for a landfill gas-fired reciprocating internal combustion engine at Landfill No. 2 in West Burlington Township, **Bradford County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permit Actions

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

14743701. NPDES Permit No. PA0600156, Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931), to renew the permit for the Pauline Hollow Coal Refuse Disposal Area in Rush Township, **Centre County** and related NPDES permit. No additional discharges. Permit issued January 12, 2004.

14831301. NPDES Permit No. PA008966, Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931), to renew the permit for the Rushton Mine in Rush

Township, **Centre County** and related NPDES permit. No additional discharges. Permit issued January 12, 2004.

17921604. NPDES Permit No. PA0214167, Waroquier Coal Company (P. O. Box 128, R. D. 4, Washington Avenue, Clearfield, PA 16830), to renew the permit for the Trucking Tipple in Lawrence Township, **Clearfield County** and related NPDES permit. No additional discharges. Permit issued January 12, 2004.

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

10980108 and NPDES Permit No. PA0227811. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous strip operation in Eau Claire Borough and Allegheny Township, **Butler County**, affecting 45.2 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributaries to South Fork Little Scrubgrass Creek to Little Scrubgrass Creek to the Allegheny River. Application received November 12, 2003. Permit Issued January 6, 2004.

10990101 and NPDES Permit No. PA0241512. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous strip operation in Eau Claire Borough and Venango Township, **Butler County**, affecting 41.3 acres. Receiving streams: unnamed tributary to South Fork of Little Scrubgrass Creek. Application received October 24, 2003. Permit Issued January 6, 2004.

10980109 and NPDES Permit No. PA0227862. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Renewal of an existing bituminous strip operation in Muddy Creek Township, **Butler County**, affecting 141.2 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributary to Bear Run. Application received November 17, 2003. Permit Issued January 6, 2004.

33950108. T. L. H. Coal Company (4401 Pollock Road, Marion Center, PA 15759). Revision to an existing bituminous strip and auger operation to change the post-mining land use from wildlife habitat to pastureland on the Raymond E. and Cora Belle Smith property in Perry Township, **Jefferson County**. Receiving streams: McCracken Run. Application received September 15, 2003. Permit Issued January 8, 2004.

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

65010102 and NPDES Permit No. 0202967. Coal Loaders, Inc. (210 E. Main Street, P. O. Box 556, Ligonier, PA 15658). Transfer of permit from V. P. Smith, Inc., for an existing bituminous surface mine in Fairfield Township, **Westmoreland County**, affecting 133.6 acres. Receiving streams: unnamed tributaries to Hypocrite Creek. Transfer application received August 26, 2003. Transfer permit issued January 13, 2004.

03030102 and NPDES Permit No. PA0250350. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Permit for commencement, operation and reclamation of a bituminous surface mine in East Franklin and Sugar Creek Townships, **Armstrong County**, affecting 224.5 acres. Receiving streams: unnamed tributary to Long Run to Patterson Creek to Buffalo Creek. Application received March 11, 2003. Permit issued January 16, 2004.

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

17980110 and NPDES Permit No. PA0238023. Junior Coal Contracting, Inc. (R. R. 3, Box 225A, Philipsburg, PA 16866). Renewal of an existing bituminous surface mine permit in Decatur Township, **Clearfield County**, affecting 73.6 acres. Receiving streams: Albert Run to Little Laurel Run to Laurel Run to Moshannon Creek to the West Branch of the Susquehanna River. Application received September 22, 2003. Permit issued January 5, 2004.

17980107 and NPDES Permit No. PA0237973. GLR Mining, Inc. (P. O. Box 105, Clymer, PA 15728). Renewal of an existing bituminous surface mine-auger permit in Bell Township, **Clearfield County**, affecting 58 acres. Receiving streams: unnamed tributary to Haslett Run to Haslett Run; Haslett Run to the West Branch of the Susquehanna River. Application received August 21, 2003. Permit issued January 5, 2004.

17823101 and NPDES Permit No. PA0609412. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838). Renewal of an existing bituminous surface mine permit in Union Township, **Clearfield County**, affecting 128 acres. Receiving streams: Two unnamed tributaries of Laborde Branch, to Laborde Branch, to Sandy Lick Creek, to Little Mill Creek, to Redbank Creek to Anderson Creek and Anderson Creek to West Branch Susquehanna River to Susquehanna River. Application received September 15, 2003. Permit issued January 5, 2004.

17813093 and NPDES Permit No. PA0609609. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Renewal and transfer of an existing bituminous surface mine-refuse plant-shale mining-auger permit, from Sky Haven Coal, Inc. The permit is in Lawrence Township, **Clearfield County**, affecting 112.5 acres. Receiving streams: unnamed tributary to Wolf Run to West Branch Susquehanna River. Application received July 22, 2003. Permit issued December 11, 2003.

17860104 and NPDES Permit No. PA0611077. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849). Major permit revision to an existing bituminous surface mine permit for a change in permit acreage from 255.0 to 267.8 acres. The permit is in Girard Township, **Clearfield County**. Receiving streams: Deer Creek, Buck Run. Application received October 14, 2003. Permit issued January 5, 2004.

Noncoal Permit Actions

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

52032804. Springbrook Enterprises, Inc. (HC 8 Box 8210, Hawley, PA 18428), commencement, operation and restoration of a quarry operation in Blooming Grove Township, **Pike County**, affecting 5.0 acres. Receiving streams: Billings Creek and Shohola Creek. Application received October 1, 2003. Permit issued January 9, 2004.

8175SM3A1C6 and NPDES Permit No. PA0613797. Warner Company (P. O. Box 457, Devault, PA 19432), renewal of NPDES permit for discharge of treated mine drainage in East Whiteland and Tredyffrin Townships, **Chester County**. Receiving streams: Valley Creek. Application received November 21, 2003. Renewal issued January 15, 2004.

7975SM4C4. Edison Quarry, Inc. (25 Quarry Road, Doylestown, PA 18901), depth correction for an existing quarry operation in Doylestown Township, **Bucks County**, affecting 17.7 acres. Receiving streams:

Neshaminy Creek. Application received October 7, 2002. Correction issued January 15, 2004.

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

37860305. G. L. McKnight, Inc. (P. O. Box 773, Slippery Rock, PA 16057). Renewal of NPDES Permit No. PA0212032 in Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run. Application received November 7, 2003. Permit Issued January 6, 2004.

4876SM20. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16804). Transfer of an existing sand and gravel operation from Brokenstraw Gravel Company in Pittsfield Township, **Warren County**, affecting 106.9 acres. Receiving streams: Little Brokenstraw Creek. Application received September 4, 2003. Permit Issued January 8, 2004.

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

08960301. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803). Transfer of an existing large industrial minerals permit from Graham Construction and Excavating in Canton Township, **Bradford County**, affecting 19.2 acres. Receiving streams: None. Application received August 27, 2003. Permit issued January 7, 2004.

53032801. Fessenden Construction Company, Inc. (P. O. Box 271, 94 Main Street, Roulette, PA 16746). Commencement, operation and restoration of a small industrial minerals (sand, gravel, topsoil) permit in Roulette Township, **Potter County**, affecting 5 acres. Receiving streams: Allegheny River. Application received February 6, 2003. Permit issued January 7, 2004.

08030808. Casselbrick Flagstone (R. R. 1, Box 101, Sayre, PA 18840). Commencement, operation and restoration of a small industrial minerals (bluestone) permit in Herrick Township, **Bradford County**, affecting 3 acres. Receiving streams: unnamed tributary Camp's Creek. Application received August 29, 2003. Permit issued January 12, 2004.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

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

22034027. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Shops at Susquehanna Market Place in Susquehanna Township, **Dauphin County**, with an expiration date of January 23, 2005. Permit issued January 13, 2004.

21034080. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Towns at Meadows in Upper Allen Township, **Cumberland County**, with an expiration date of January 30, 2005. Permit issued January 13, 2004.

360340125. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507-0189), construction at Keystone Opportunity Zone in Lancaster City, **Lancaster County**, with an expiration date of September 30, 2004. Permit issued January 13, 2004.

67034080. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting at The Orchards in Hellam Township, **York County**, with an expiration date of January 31, 2005. Permit issued January 13, 2004.

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

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

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

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

E15-698. Newman Development Group, 3101 Shippers Rd., P. O. Box 678, Vestal, NY 13851-0678, North Coventry Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain water obstructions and encroachments associated with the proposed Town Square Plaza Development. The site is just south of the intersection of SR 0100 and Cedarville Road in North Coventry Township, Chester County.

Work will consist of:

1. To place fill in 0.03 acre of wetland and to enclose 400 linear feet of two watercourses (tributaries to the Schuylkill River).

2. To construct and maintain 60 linear feet of 16-foot by 5.25-foot open-bottom arch culvert and associated utility line stream crossings in the southern unnamed tributary to the Schuylkill River (HQ-TSF) (Pottstown, PA Quadrangle N: 18.2 inches; W: 4.7 inches).

3. To expand the reservoir of an existing pond with a non-jurisdictional dam from a 0.56-acre reservoir (POW) to a 0.77-acre reservoir (POW) for use as a sediment basin during construction and as a stormwater management facility thereafter (basin 1). Work activities also include replacement and maintenance of approximately 60 linear feet of an 18-inch culvert in the northern unnamed tributary to the Schuylkill River (HQ-TSF) and associated excavation upstream of the culvert for flood storage (Pottstown, PA Quadrangle N: 18.4 inches; W: 4.7 inches).

The applicant proposes to construct a total of 0.33 acre of replacement wetlands in two areas (0.28 acre and 0.05 acre) to compensate for the 0.10 acre of wetland (PEM) impacts associated with the proposed project. This project will include work within a Department of Transportation right-of-way which will be authorized by General Permits, including extending a 30-inch RCP culvert pipe, 27 linear feet, which carries the southern unnamed tributary to the Schuylkill River (HQ-TSF) under Hanover Street (SR 1037); the placement of fill in 0.09 acre of wetlands (PEM) for the construction of the proposed "Harp Farm Road" from Hanover Street (SR 1037) (Pottstown, PA

Quadrangle N: 18.2 inches; W: 4.4 inches) and to extend a 4-foot by 6-foot box culvert, 37 linear feet, which carries the southern unnamed tributary to the Schuylkill River (HQ-TSF) under SR 0100 (Pottstown, PA Quadrangle N: 18.2 inches; W: 4.9 inches).

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

E45-432. Polk Township, P. O. Box 137, Kresgeville, PA 18333-0137. Polk Township, **Monroe County**, Army Corps of Engineers Philadelphia District, Subbasin 2-B.

Remove the existing structure and to construct and maintain an open-bottom, corrugated aluminum box culvert having a span of approximately 11.1 feet and an average underclearance of approximately 5.2 feet in a tributary to Pohopoco Creek (CWF, perennial). The project is along Township Road T414 (Serfass Road), approximately 0.15 mile east of SR 3007 (Burger Hollow Road) (Brodheads ville, PA Quadrangle N: 7.7 inches; W: 12.4 inches). The project proposes to directly affect 38 linear feet of stream channel.

E58-255. Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. New Milford Township, **Susquehanna County**, Army Corps of Engineers Baltimore District (Subbasin 04E).

To remove the existing structure and to construct and maintain a road crossing of a tributary to Gillespies Pond (HQ-CWF), consisting of a 16.0-foot by 4.0-foot and a length of 45.0 feet precast concrete box culvert with its invert depressed 1.0 foot below streambed elevation. The project also includes a temporary stream diversion impacting 80.0 linear feet of stream. The project is along SR 2061, Segment 0110, Offset 1300, approximately 1.2 miles southwest of the intersection of SR 2061 and SR 0848 (Harford, PA Quadrangle N: 16.3 inches; W: 15.0 inches).

E58-256. Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. New Milford Township, **Susquehanna County**, Army Corps of Engineers Baltimore District (Subbasin 04E).

To remove the existing structure and to construct and maintain a road crossing of a tributary to Gillespies Pond, consisting of a 16.0-foot by 4.0-foot and a length of 40.0 feet precast concrete box culvert with its invert depressed 1.25 feet below streambed elevation. The project also includes a temporary stream diversion impacting 115.0 linear feet of stream. The project is along SR 2061, Segment 0110, Offset 2065, approximately 1.1 miles southwest of the intersection of SR 2061 and SR 0848 (Harford, PA Quadrangle N: 16.5 inches; W: 14.7 inches).

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

E06-584: Borough of Fleetwood, 110 West Arch Street, Fleetwood, PA 19522 in Fleetwood Borough, **Berks County**, ACOE Philadelphia District.

To remove an existing 32-foot long by 3-foot wide steel and wooden plank bridge and to install and maintain a 40-foot long by 6-foot wide prefabricated pedestrian bridge across an unnamed tributary to Willow Creek (CWF) for the purpose of improving the recreational and educational value of the greenway, at a point approximately 1,400 feet east of North Richmond Street (Fleetwood, PA Quadrangle N: 15.5 inches; W: 12.4 inches) in Fleetwood Borough, **Berks County**.

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

E14-452. John H. Mitchell, Jr., P. O. Box 215, Lemont, PA 16851. Mount Nittany Terrace—Phase II in College Township, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 12.7 inches; W: 8.1 inches).

To construct and maintain: (1) a 95-foot long 48-inch diameter CPEP culvert for a public road crossing; (2) a 155-foot long 48-inch diameter CPEP culvert for a public road crossing; (3) a 400-foot long realigned and R-5 rock armored intermittent stream channel next to a proposed public road; (4) two 87-foot long by 48-inch diameter CPEP culverts for a public road crossing; and (5) four 18-inch diameter stormwater outfalls, into or crossing of an intermittent unnamed tributary of Spring Creek for the expansion of a public subdivision 1,500 feet southwest on First Avenue from its intersection with Struble Road. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E17-387. Ferguson Township, 1555 McGee Road, Curwensville, PA 16833-8120. Wendell Road Bridge Replacement over Gazzam Run in Ferguson Township, **Clearfield County**, ACOE Baltimore District (Curwensville, PA Quadrangle N: 2.9 inches; W: 11.2 inches).

To remove an existing bridge and construct, operate and maintain a single-span bridge to carry Wendell Road (T-426) across Gazzam Run. The single-span bridge shall be constructed with prestressed concrete spread box beams that provide a minimum normal span of 50 feet, clear width of 26 feet and underclearance of 4.5 feet. Since Gazzam Run is protected as a wild trout and stocked trout fishery, no construction or future repair work shall be conducted in or along the stream channel between October 1 and December 31 or April 1 and June 15 without the prior written permission from the Fish and Boat Commission. Bridge construction shall be conducted in stream low flow conditions and all in-stream abutment and wingwall construction shall be completed in dry work conditions through dam and pumping or fluming stream flow around work areas. Construction work also includes the installation of R-8 rock for footing scour protection. All rock scour protection shall have openings or voids choked with small, clean stone materials to avoid stream flow loss. The bridge construction project is along the eastern right-of-way of SR 0729 approximately 675 feet east of SR 0729 and Wendell Road (T-426) intersection. This permit authorizes the construction, operation, maintenance and removal of temporary stream diversions, cofferdams, road crossings and causeways. All temporary structures shall be constructed with clean rock, clear of fines; upon completion of the bridge, all structures removed with disturbed waterway and wetland areas being restored to original contours and elevations. The 0.01 acre of wetland impacts incurred by bridge removal and construction are deemed de minimis and replacement of wetland 0.01 acre of wetland shall not be required.

E17-388. Ferguson Township, 1555 McGee Road, Curwensville, PA 16833-8120. Wagoner Road Bridge Replacement over Gazzam Run in Ferguson Township, **Clearfield County**, ACOE Baltimore District (Curwensville, PA Quadrangle N: 0.7 inch; W: 11.4 inches).

To remove an existing bridge and construct, operate and maintain a single-span bridge to carry Wagoner Road (T-431) across Gazzam Run. The single-span bridge shall be constructed with prestressed concrete spread box

beams that provide a minimum normal span of 35 feet, clear width of 26 feet and underclearance of 4 feet. Since Gazzam Run is protected as a wild trout and stocked trout fishery, no construction or future repair work shall be conducted in or along the stream channel between October 1 and December 31 or April 1 and June 15 without the prior written permission from the Fish and Boat Commission. Bridge construction shall be conducted in stream low flow conditions and all in-stream abutment and wingwall construction shall be completed in dry work conditions through dam and pumping or fluming stream flow around work areas. Construction work also includes the installation of R-8 rock for footing scour protection. All rock scour protection shall have openings or voids choked with small, clean stone materials to avoid stream flow loss. The bridge construction project is along the eastern right-of-way of SR 0729 approximately 235 feet east of SR 0729 and Wagoner Road (T-431) intersection. This permit authorizes the construction, operation, maintenance and removal of temporary stream diversions, cofferdams, road crossings and causeways. All temporary structures shall be constructed with clean rock, clear of fines; upon completion of the bridge, all structures removed with disturbed waterway and wetland areas being restored to original contours and elevations. The 0.03 acre of wetland impacts incurred by bridge removal and construction are deemed de minimis and replacement of wetland 0.03 acre of wetland shall not be required.

E17-389. Department of Transportation, Engineering District 2-0, P. O. Box 342, Clearfield, PA 16830. SR 2027, Section A01 Bridge Replacement in Bradford Township **Clearfield County**, ACOE Baltimore District (Wallaceton, PA Quadrangle N: 22.2 inches; W: 15.4 inches).

To remove an existing single-span bridge and construct, operate and maintain a precast concrete arch culvert to carry SR 2027, Section A01 across Roaring Run to improve public highway safety. The precast concrete arch culvert shall be constructed with a minimum span of 24 feet, rise of 10 feet and maximum length of 100 feet with the culvert invert depressed 1 foot. The culvert construction project is along SR 2027 at the intersection with Bradford Township Road No. 313. This permit also authorizes the construction, operation, maintenance and removal of temporary construction road crossings, stream diversions and cofferdams. All temporary structures shall be constructed with clean rock, free of fines and silts or other nonerodible material. Upon completion of the bridge construction, all temporary structures shall be completely removed from the channel and floodplain.

E53-395: Harrison Township, P. O. Box 92, Harrison Valley, PA 16927. Fox Hill Road Bridge Replacement over an unnamed tributary Cowanesque River in Harrison Township, **Potter County**, ACOE Baltimore District (Potter Brook, PA Quadrangle N: 10.7 inches; W: 16.7 inches).

To remove an existing single-span bridge and construct, operate and maintain a public road crossing an unnamed tributary to the Cowanesque River. The public road crossing shall be constructed to carry T-485 (Fox Hill Road) across the unnamed tributary with a single corrugated metal culvert pipe. The corrugated metal culvert pipe shall have a minimum diameter of 6 feet and a depression of 0.5 foot below the existing streambed elevations. The 6-foot diameter culvert pipe shall be installed between existing concrete bridge abutments with R-7 rip rap outlet protection along both stream banks. The public road crossing shall also include timber-cribbing headwalls. All construction and future work shall

be conducted at stream low flow. The Fox Hill Road project is along the northern right-of-way of SR 0049 approximately 4,100 feet north of T-485 and SR 0049 intersection. This permit does not authorize any temporary or permanent wetland impacts and as such, the permittee shall ensure no wetland impacts result from the removal of the existing bridge or construction of the proposed road crossing. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E02-494. The Lane Construction Company, 1 Rutgers Road, Second Floor, Pittsburgh, PA 15205 in Boggs and Washington Townships, **Armstrong County**, Pittsburgh ACOE District (Templeton, PA Quadrangle N: 4.1 inches; W: 13.1 inches; Latitude: 40° 53' 51"—Longitude: 79° 28' 11" and N: 8.5 inches; W: 16.8 inches; Latitude: 40° 55' 19"—Longitude: 79° 29' 48"). To amend Permit E02-494 which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong and Westmoreland Counties, to include Allegheny River Mile Points 52.8 to 53.3 left descending bank in Boggs Township, Armstrong County and Allegheny River Mile Points 58.2 to 58.6 right descending bank in Washington Township, Armstrong County.

E02-584. Pioneer Mid-Atlantic, Inc., Salem Place—Suite 340, 390 Rt. 22, Delmont, PA 15626 in Boggs and Washington Townships, **Armstrong County**, Pittsburgh ACOE District (Templeton, PA Quadrangle N: 4.1 inches; W: 13.1 inches; Latitude: 40° 53' 51"—Longitude: 79° 28' 11" and N: 8.5 inches; W: 16.8 inches; Latitude: 40° 55' 19"—Longitude: 79° 29' 48"). To amend Permit E02-584, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties, to include Allegheny River Mile Points 52.8 to 53.3 left descending bank in Boggs Township, Armstrong County and Allegheny River Mile Points 58.2 to 58.6 right descending bank in Washington Township, Armstrong County.

E02-1326. Glacial Sand and Gravel Company, P. O. Box 1022, Kittanning, PA 16201-1022 in Boggs and Washington Townships, **Armstrong County**, Pittsburgh ACOE District (Templeton, PA Quadrangle N: 4.1 inches; W: 13.1 inches; Latitude: 40° 53' 51"—Longitude: 79° 28' 11" and N: 8.5 inches; W: 16.8 inches; Latitude: 40° 55' 19"—Longitude: 79° 29' 48"). To amend Permit E02-1326, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong and Westmoreland Counties, to include Allegheny River Mile Points 52.8 to 53.3 left descending bank in Boggs Township, Armstrong County and Allegheny River Mile Points 58.2 to 58.6 right descending bank in Washington Township, Armstrong County.

E02-1387. Crossing of Wexford, LP, P. O. Box 297, Wexford, PA 15090. Wetland fill in Marshall Township, **Allegheny County**, Pittsburgh ACOE District (Emsworth, PA Quadrangle N: 21.5 inches; W: 10.7 inches) (Latitude: 40° 37' 06"—Longitude: 80° 01' 39"). To place and maintain fill in 0.045 acre of wetlands (PEM) adjacent to an unnamed tributary to Pine Creek (CWF) for the purpose of constructing the Crossing of

Wexford residential development. The project is on the east side of Wexford Run Road, approximately 240 feet southeast from the intersection of Wexford Run Road and Bayne and Wexford Road. The project will permanently impact 0.045 acre of PEM wetlands.

E02-1437. Mills Corporation, 1300 Wilson Boulevard, Suite 400, Arlington, VA 22209. Freeport Road Bridge in Harmar Township, **Allegheny County**, Pittsburgh ACOE District (New Kensington, PA Quadrangle N: 6.6 inches; W: 12.6 inches) (Latitude: 40° 32' 11"—Longitude: 79° 50' 26"). To operate and maintain an existing single pier bridge having a span of approximately 141 feet and underclearance of 22.9 feet across Deer Creek (WWF) and to widen and maintain the bridge approximately 16.7 feet on the downstream side. The project is part of a proposed development known as Pittsburgh Mills; the bridge widening is needed for anticipated additional mall traffic. The project is on Freeport Road (SR 1001) approximately 200 feet west of its intersection with SR 910.

E11-302. Department of Transportation, 1620 North Juniata Street, Hollidaysburg, PA 16648. St. Clair Road Stockpile in Lower Yoder Township, **Cambria County**, Pittsburgh ACOE District (Johnstown, PA Quadrangle N: 16.2 inches; W: 11.8 inches) (Latitude: 40° 20' 21"—Longitude: 78° 57' 35"). To relocate and maintain approximately 360 linear feet of an unnamed tributary to St. Clair Run (CWF). The length of the relocated channel will be reduced to approximately 160 linear feet. To restore and maintain 281 linear feet of the floodway of St. Clair Run (CWF) by excavating the left bank of said stream. To permanently place and maintain fill in 0.36 acre of PEM wetland. The project proposes to directly impact, through relocation, 360 linear feet of intermittent stream (200 linear feet of stream will be lost), through restoration, 0.12 acre of floodway and through placement of fill, 0.36 acre of PEM wetland. To compensate for the wetland impacts, the applicant shall make a monetary contribution to the Pennsylvania Wetland Replacement Project. The purpose of the project is to expand the St. Clair Road Stockpile (No. 17).

E63-547. Ed McGavitt, 50 Speers Street, Belle Vernon, PA 15102. Barge mooring facility in Speers Borough, **Washington County**, Pittsburgh ACOE District (Monongahela, PA Quadrangle N: 0.5 inch; W: 1.4 inches) (Latitude: 40° 07' 40"—Longitude: 79° 53' 06"). To operate and maintain the existing barge mooring facility constructed under Permit No. 20070 having a length of 1,225 feet and a minimum width of 156 feet (as measured from the normal pool elevation) in the channel and along the left bank of the Monongahela River on the east side of SR 88, approximately 1,700 feet downstream from the intersection of SR 88 and the Interstate Route 70 bridge.

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

E25-676. Millcreek Township Supervisors, 3608 West 26th Street, Erie, PA 16506. Zimmerly Road (T-651) Bridge in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 10.2 inches; W: 2.5 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 95 feet and an average underclearance of 15 feet on a 75 degree skew across Walnut Creek (CWF, MF, perennial) (Swanville, PA Quadrangle N: 10.2 inches; W: 2.5 inches) on Zimmerly Road (T-651) approximately 150 feet west of the intersection of Zimmerly Road (T-651) and Loves

Road. The project includes rip-rap protection and relocation of an existing 8-inch diameter sanitary sewer line to attach to the new structure. The project proposes to directly affect 75 linear feet of stream channel.

E25-677, Department of Transportation, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301-1412. SR 0006 Bridge Replacement in the Borough of Union City, **Erie County**, ACOE Pittsburgh District (Union City, PA-NY Quadrangle N: 4.2 inches; W: 13.0 inches).

The applicant proposes to remove the existing structure and: (1) to construct and maintain a rolled steel I-beam bridge having a clear span of 75 feet and an underclearance of 11.25 feet on a 90 degree skew across South Branch French Creek (CWF, perennial) on SR 0006 (U. S. Route 6), Section B03, Segment 0260, Offset 1446 approximately 0.5 mile north of the intersection of SR 0006 and SR 0008; and (2) to install of a temporary pedestrian bridge approximately 75 feet upstream of the bridge. The project proposes to directly affect a total of approximately 125 linear feet of stream channel.

E25-680, Millcreek Township School District, Millcreek Education Center, 3740 West 26th Street, Erie, PA 16506-2096. Asbury Playfields in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 11.2 inches; W: 7.3 inches).

The applicant proposes to fill 0.048 acre (de minimis) of nonexceptional value wetland for the construction of playfields adjacent to the Asbury Middle School approximately 0.2 mile southwest of the intersection of West 38th Street and Asbury Road. The project proposes to directly affect 0.048 acre of wetlands.

E27-072, Forest County Commissioners, Forest County Courthouse, Tionesta, PA 16353. Elm Street Bridge Rehabilitation in Tionesta Borough and Township, **Forest County**, ACOE Pittsburgh District (Tionesta, PA Quadrangle N: 20.0 inches; W: 10.3 inches).

The applicant proposes to operate and maintain a concrete arch bridge having a three clear spans of approximately 89 feet each and having an underclearance of approximately 21 feet on a 90 degree skew across Tionesta Creek (CWF, perennial) on (T-394) Elm Street approximately 0.8 mile southeast of the intersection of SR 36 and U. S. Route 62 in Tionesta Borough and Tionesta Township, Forest County. The proposed maintenance project involves: (1) construction of a 0.5-foot facing on the piers and abutments up to the underside of the arches; (2) repairs to concrete on the underside of the arches and spandrel walls; and (3) placement of R-6 riprap at the upstream end of pier no. 2 to fill a scour hole.

E61-263, Department of Transportation, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. SR 4009, Segment 0070, Offset 1678 Across East Branch Sugar Creek in Oakland Township, **Venango County**, ACOE Pittsburgh District (Dempseytown, PA Quadrangle N: 3.1 inches; W: 11.3 inches).

To remove the existing structure and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear span of 82.34 feet and an underclearance of 13.8 feet on a 65 skew across East Branch Sugar Creek on SR 4009, Segment 0070, Offset 1678 approximately 2 miles south of the Village of Sunville.

WATER QUALITY CERTIFICATIONS

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

WQC41-001. Certification Request Initiated by **Chief, Civil Project Development Branch, Department of the Army, Baltimore District, U. S. Army Corp. of Engineers**, P. O. Box 1715, Baltimore, MD 21203-1715.

Date of Initial *Pennsylvania Bulletin* Notice: December 6, 2003

Chief, Civil Project Development Branch, Department of the Army, Baltimore District, U.S. Army Corp. of Engineers, P. O. Box 1715, Baltimore, MD 21203-1715. Loyalsock Township, **Lycoming County**, Baltimore District.

Project Description: The proposed project is to place approximately 1,500 linear feet of R-7 rock rip-rap protection along the west bank of Loyalsock Creek (TSF). The project site is west of Montoursville Borough in Loyalsock Township, Lycoming County and extends from approximately the Interstate 180 bridge, upstream 1,500 feet, to a point near the mouth of Mill Creek (Montoursville North, PA Quadrangle N: 0.5 inch, W: 8.45 inches). The purpose of the project is to stabilize the streambank and to protect an existing sewer line. Rock will be placed over the sewer line and along the creek embankment to protect them from further degradation caused by erosion. In addition to the impact to the stream channel and floodway, it is proposed to temporarily disturb approximately 0.06 acre of palustrine scrub-shrub wetlands, which will be restored upon completion of the project.

Final Action on Request: Approved

SPECIAL NOTICES

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) for the Brubaker Run Watershed in Cambria County

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.

The Department of Environmental Protection (Department) is holding a public meeting on Tuesday, February 17, 2004, at 6:30 p.m. at the Saint Thomas Church, Ashville, PA, to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 Section 303(d) of the Clean Water Act. Two stream segments in the Brubaker Run Watershed have been identified as impaired on the 1996, 1998 and 2002 Pennsylvania 303(d) lists due to depressed pH and/or high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
26489 (Segment 4026)	Brubaker Run	2.9
26489 (Segment 990819-0920-LMS)	BrubakerRun	7.23

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron and manganese) and pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	N/A

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the 20th century. The effects of this are still present. The TMDL consists of both load allocations, which are made to nonpoint sources of pollution and waste load allocations, which are made to point sources of pollution.

The TMDL was developed using Monte Carlo Simulation (MCS) to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. MCS allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data collected throughout 2001.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Miles Baird, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900 (between 8 a.m. and 3 p.m., Monday through Friday), mbaird@state.pa.us. Directions to the meeting place can also be obtained through Miles Baird.

The TMDL can be viewed and printed by accessing the Department's website: www.dep.state.pa.us (DEP Keyword: TMDL).

Written comments will be accepted at the previous address and must be postmarked by March 31, 2004. Persons who plan to make a presentation at the public meeting should notify the Department by 4 p.m. on Tuesday, February 10, 2004. The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval.

[Pa.B. Doc. No. 04-187. Filed for public inspection January 30, 2004, 9:00 a.m.]

Availability of the General NPDES Permit for Discharges from Small Flow Treatment Facilities (PAG-4)

The Department of Environmental Protection (Department) announces the availability of the final General NPDES Permit for Discharges from Small Flow Treatment Facilities (PAG-4). A notice advertising a 30-day public comment period on the draft General Permit was published at 33 Pa.B. 5784 (November 22, 2003). The Department did not receive any public comments on the draft General Permit during the public comment period. The Department made nonsubstantive changes to the draft General Permit, before its finalization, to enhance the clarity of the document. The final General Permit will be effective February 5, 2004, and expires on February 4, 2009.

The final General Permit is now available and is posted on the Department's website: www.dep.state.pa.us (DEP Keyword: DEP Permits; click on General Permits).

The General Permit package may also be obtained by contacting the Department of Environmental Protection, Bureau of Water Supply and Wastewater Management,

Division of Wastewater Management, Rachel Carson State Office Building, P. O. Box 8774, 11th Floor, Harrisburg, PA 17105-8774, (717) 787-8184, truttroutma@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-188. Filed for public inspection January 30, 2004, 9:00 a.m.]

Proposed Pennsylvania NPDES Individual Permit for Stormwater Discharges from Department of Transportation Roadway Systems in Urbanized Areas

Under The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) seeks public comment on the Commonwealth's proposed NPDES Individual Permit for Stormwater Discharges for the Department of Transportation (DOT) roadway systems (PENNDOT MS4). The United States Environmental Protection Agency's Phase II Stormwater Permitting regulation in 40 CFR 122 requires permitting of small municipal separate stormwater systems (MS4s). The Department's proposed PENNDOT MS4 is consistent with Federal and State regulations and will be operative within all urbanized areas, as defined by the Bureau of Census.

The proposed PENNDOT MS4 permit package is designed to reduce the impact of regulated stormwater discharges to the maximum extent practicable. The permit proposes the DOT's stormwater management program meet, at a minimum, the six following control measures: (1) public education and outreach; (2) public participation and involvement; (3) illicit discharge detection and elimination; (4) construction site stormwater runoff control; (5) post-construction stormwater management in new development and redevelopment; and (6) pollution prevention and good housekeeping for DOT roadway system operations and maintenance. In developing the proposed PENNDOT MS4 permit, the Department streamlined the permit approval process to develop a more practical approach for encouraging compliance with applicable State and Federal requirements.

The proposed PENNDOT MS4 permit package is available for review by writing to the Department of Environmental Protection, Bureau of Watershed Management, 400 Market Street, 10th Floor, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 783-7420, sgansell@state.pa.us. The permit package is also available on the Department's website: www.dep.state.pa.us (DEP Keyword: Participate; scroll down to "Proposals Open for Comment"; then choose "Other Proposals").

Comments on the proposed PENNDOT MS4 package must be submitted to the Department by March 1, 2004. Only comments received by the Department on or before March 1, 2004, will be considered in finalizing the PENNDOT MS4 permit package. Persons wishing to comment on the proposed permit package should include their name, address and telephone number and a concise comment statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. If significant issues of public interest are raised, the Department may schedule a public meet-

ing or hearing. Written comments should be submitted at the previous address. Comments will also be accepted by e-mail and should be sent by March 1, 2004, to Stuart Gansell, sgansell@state.pa.us. Comments will not be accepted by facsimile or voice mail.

Persons with a disability may use the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Following the specified comment period, the Department will review all submitted comments, prepare a written comments and response document and prepare a final documents package for this permit. An availability notice of the final permit documents will be announced in the *Pennsylvania Bulletin*. Individuals wishing to receive a copy of the final documents may request them by contacting the previous addresses or telephone numbers.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-189. Filed for public inspection January 30, 2004, 9:00 a.m.]

Water Resources Regional Committee Meeting Schedules for 2004

The following is a list of 2004 meetings of the six Water Resources Regional Committees (regional Committees) associated with the Department of Environmental Protection (Department). Notice of these meetings is being given in accordance with 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act).

These schedules and an agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department's website at www.dep.state.pa.us (DEP Keyword: Participate). Locations of the future meetings, if not indicated, will be available on the Department's website as well as published in advance in the *Pennsylvania Bulletin*.

The six regional committees listed were created under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of a new State Water Plan (plan) for this Commonwealth. The regional committees' purpose is to develop the regional component of the overall plan and to provide recommendations to the Statewide Water Resources Committee, which is charged under 27 Pa.C.S. Chapter 31 to develop the plan.

The 2004 meeting dates of the six regional committees are as follows:

Delaware Water Resources Regional Committee

Meetings of the Delaware Water Resources Regional Committee in 2004 will be held at 9:30 a.m. at various locations throughout the Delaware River Basin. The meeting dates are as follows:

February 18, 2004	DEP—Southeast Regional Office 2 East Main Street Norristown, PA 19401
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April 14, 2004
June 11, 2004
August 13, 2004
October 8, 2004
December 10, 2004

Great Lakes Water Resources Regional Committee

Meetings of the Great Lakes Water Resources Regional Committee in 2004 will be held at 10 a.m. at various locations in the Lake Erie region. The meeting dates are as follows:

February 10, 2004	DEP—Northwest Regional Office 230 Chestnut Street Meadville, PA 16335-3481
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April 13, 2004
June 8, 2004
August 10, 2004
October 12, 2004
December 14, 2004

Lower Susquehanna Water Resources Regional Committee

Meetings of the Lower Susquehanna Water Resources Regional Committee in 2004 will be held at 10 a.m. at the Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. The meeting dates are as follows:

February 2, 2004
April 5, 2004
June 7, 2004
August 2, 2004
October 4, 2004
December 6, 2004

Ohio Water Resources Regional Committee

Meetings of the Ohio Water Resources Regional Committee in 2004 will be held at 10 a.m. at various locations throughout the Ohio River Basin. The meeting dates are as follows:

February 9, 2004	DEP—Southwest Regional Office 500 Waterfront Drive Pittsburgh, PA 15222
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April 12, 2004
June 14, 2004
August 9, 2004
October 18, 2004
December 13, 2004

Potomac Water Resources Regional Committee

Meetings of the Potomac Water Resources Regional Committee in 2004 will be held at 10 a.m. at various locations throughout the Potomac River Basin. The meeting dates are as follows:

February 20, 2004	Franklin County Administrative Annex Building 218 N. 2nd Street Chambersburg, PA
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April 16, 2004
June 18, 2004
August 20, 2004
October 15, 2004
December 17, 2004

Upper/Middle Susquehanna Water Resources Regional Committee

Meetings of the Upper/Middle Susquehanna Water Resources Regional Committee in 2004 will be held at 10 a.m. at various locations throughout the Upper/Middle Susquehanna River Basin. The meeting dates are as follows:

February 24, 2004

DEP—Northeast Regional
Office
2 Public Square
Wilkes-Barre, PA

April 29, 2004

June 17, 2004

August 19, 2004

October 21, 2004

December 16, 2004

Questions concerning a meeting should be directed to Susan Weaver, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-8055, suweaver@state.pa.us.

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

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-190. Filed for public inspection January 30, 2004, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Established Fee for Methadone Take-Home Services

By this notice and in accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Public Welfare (Department) announces the addition of the payment for methadone take-home services to the Medical Assistance (MA) Program Fee Schedule.

Methadone take-home services will be available for MA recipients who meet Federal and State criteria for obtaining the services (see 42 CFR 8.12(i) and 28 Pa. Code § 715.6 (relating to physician staffing)). The services must be provided by a methadone maintenance clinic that complies with the requirements established in 55 Pa. Code Chapter 1223 (relating to outpatient drug and alcohol clinic services), is certified in accordance with 42 CFR Chapter 1, Part 8 and is licensed in accordance with 28 Pa. Code Chapters 701, 704, 705 and 715 and, as applicable, 28 Pa. Code Chapter 709 or Chapter 711 (relating to standards for licensure of freestanding treatment facilities; and standards for certification of treatment activities which are a part of a health care facility).

Effective February 1, 2004, the Department has established a procedure code, unit of service and fee for methadone maintenance take-home services as follows:

Procedure Code	Modifier	Description	Fee	Unit of Service
H0020	* HG	Alcohol and/or drug services; methadone administration and/or service (take-home)	\$7.50	One unit/day (whether single or split dose)

The fee for this service will be effective with dates of service on or after February 1, 2004. The Department will issue an MA Bulletin to affected service providers before the effective date of the fee.

* The modifier HG is required only for claims submitted after PROMISE, the Department's new claims payment system, is implemented. The modifier may not be used in submitting claims under MAMIS.

Fiscal Impact

The estimated net State savings for Fiscal Year 2003-2004 is \$0.223 million (\$0.114 million in State funds). The estimated State savings for Fiscal Year 2004-2005 is \$0.422 million (\$0.213 million in State funds).

Public Comment

Interested persons are invited to submit written comments regarding this notice within 30 days of publication in the *Pennsylvania Bulletin*. Comments received will be reviewed and considered in subsequent revisions to the MA Program Fee Schedule. Comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-379. (1) General Fund; (2) Implementing Year 2003-04 is \$10,000; (3) 1st Succeeding Year 2004-05 is \$34,000; 2nd Succeeding Year 2005-06 is \$34,000; 3rd Succeeding Year 2006-07 is \$34,000; 4th Succeeding Year 2007-08 is \$34,000; 5th Succeeding Year 2008-09 is \$34,000; (4) 2002-03 Program—\$668,832,000; 2001-02 Program—\$705,750,000; 2000-01 Program—\$668,586,000; (7) Medical Assistance—Outpatient; (8) recommends adoption. The additional costs outlined provide for increased usage of clinics on Sundays and holidays. The costs would be offset by anticipated savings in the Medical Assistance Transportation Program. These savings are estimated at \$124,000 for 2003-04 and \$247,000 annually thereafter.

[Pa.B. Doc. No. 04-191. Filed for public inspection January 30, 2004, 9:00 a.m.]

DEPARTMENT OF REVENUE

Cigarette Tax Notice

Under section 227-A of the Fiscal Code (72 P. S. § 227-A), the Department of Revenue (Department) announces the lowest cost of the stamping agent, wholesaler and retailer, respectively, effective January 7, 2004, as follows:

	Premium Brands (a.k.a. Kings and Regulars)	Generic Brands
Cost of the Stamping Agent (for sales to wholesalers)	\$41.84	\$39.10
Cost of the Wholesaler (for sales to retailers)	\$43.52	\$40.66
Cost of the Retailer (for sales to retail customers)	\$46.13	\$43.10

The Department considers these costs as presumptive minimum costs. Cigarette stamping agents, wholesalers and retailers are prohibited from selling cigarettes at a price lower than their respective presumptive minimum

costs. These costs are listed on a per carton basis, 10 packs of cigarettes per carton, 20 cigarettes per pack. To determine the presumptive minimum price per pack of cigarettes, one should divide the costs previously listed by ten and round to the nearest hundredth of a percent. For example, the presumptive minimum price of a pack of cigarettes sold by a retailer to a consumer is \$4.62 for premium brands (\$46.13/10), \$4.31 for generic brands (\$43.10/10).

Cigarette dealers who either sell cigarettes under a different packaging setup (that is, eight packs per carton) or sell cigarettes that do not qualify as premium or generic brands (that is, subgeneric, foreign or specialty cigarettes) as previously described are prohibited from selling cigarettes at a price lower than the cost of the stamping agent, cost of the wholesaler or cost of the retailer, respectively, as further defined and explained in 61 Pa. Code Part I, Subpart B, Article III (relating to cigarette and beverage taxes).

Cigarette dealers wishing to prove a cost different from the Department's presumptive costs previously stated must follow the procedures listed in 61 Pa. Code Chapter 76 (relating to unfair sales of cigarettes).

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 04-192. Filed for public inspection January 30, 2004, 9:00 a.m.]

Notice to Employers Responsible for Personal Income Tax Withholding

Effective January 1, 2004, the Commonwealth's personal income tax rate increased from 2.8% to 3.07%. For employer withholding purposes, the increase applies to all compensation paid or made available after December 31, 2003, even if the compensation was earned for a period prior to the payment date. An employer who failed to withhold at the higher tax rate for compensation paid on or after January 1, 2004, is required to withhold the difference from later compensation payments (catch-up withholding).

To allow employers to adjust their withholding for the change in the tax rate, the Department of Revenue (Department) is allowing employers a grace period in which to collect and remit catch-up withholding without incurring interest and penalties. No interest will be imposed on catch-up withholding that is collected on or before March 31, 2004, and remitted by the employer's first scheduled remittance date thereafter (semimonthly employers—April 5, 2004; monthly employers—April 15, 2004; and quarterly employers—April 30, 2004. Catch-up withholding remitted thereafter will be subject to applicable interest and penalties.

Employers with questions regarding this notice should contact the Department's Taxpayer Service and Information Center at (717) 787-1064.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 04-193. Filed for public inspection January 30, 2004, 9:00 a.m.]

FISH AND BOAT COMMISSION

Lake Erie Commercial Fishing—2004

The Deputy Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 69.31(b) (relating to seasons), has determined that the 2004 total allowable commercial catch for walleye from the Commonwealth waters of Lake Erie is 5,000 pounds. The commercial fishing season for walleye on Lake Erie is January 1 to midnight March 15 and 12:01 a.m. the first Saturday in May to December 31. This season shall end when the Executive Director determines that 5,000 pounds of walleye probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

The Deputy Executive Director of the Commission, acting under the authority of 58 Pa. Code § 69.31(c), has established that the 2004 total allowable commercial catch for yellow perch from the Commonwealth waters of Lake Erie is 36,000 pounds. The commercial fishing season for yellow perch on Lake Erie is January 1 until the date the Executive Director determines that 36,000 pounds of yellow perch probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

DENNIS T. GUISE,
Deputy Executive Director

[Pa.B. Doc. No. 04-194. Filed for public inspection January 30, 2004, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Request for Information; Severity Adjustment Systems

To ensure that the Health Care Cost Containment Council (Council) adopts and maintains scientifically credible and cost-effective methodology to collect and disseminate data reflecting provider quality and effectiveness, the Council is issuing a Request for Information (RFI) on severity adjustment systems/methodologies. The purpose of this RFI is to obtain information on risk adjustment/severity adjustment systems that will allow the Council to analyze the performance, reliability, operational cost and financial viability of these systems with regard to meeting the Council's data collection and reporting requirements.

Copies of the RFI are available by contacting Lori Gutierrez, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, (717) 232-6787, lgutierrez@phc4.org.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 04-195. Filed for public inspection January 30, 2004, 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 two 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>
7-386	Environmental Quality Board Triennial Review of Water Quality Standards (33 Pa.B. 5190 (October 18, 2003))	12/17/03	1/16/04
57-228	Pennsylvania Public Utility Commission Electric Service Reliability (33 Pa.B. 4921 (October 4, 2003))	12/22/03	1/21/04
6-280	State Board of Education Pupil Personnel Services and Students (33 Pa.B. 5735 (November 22, 2003))	12/22/03	1/21/04
16A-6510	State Board of Physical Therapy Certificate of Authorization (33 Pa.B. 5742 (November 22, 2003))	12/22/03	1/21/04

Environmental Quality Board Regulation No. 7-386 Triennial Review of Water Quality Standards January 16, 2004

We submit for 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 Environmental Quality Board (EQB) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on December 17, 2003. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

1. Section 93.2. Scope.—Economic impact; Need for the rule; Clarity.

The proposed regulation would delete the phrase “and will be considered by the Department [Department of Environmental Protection] in its regulation of discharges” from subsection (a). The definition of “discharge” in § 92.1 seems to be limited to point sources. Beyond including “nonpoint sources” as defined in § 93.1, what is the need for the deletion?

Commentators including the Pennsylvania Farm Bureau and Pennsylvania Oil and Gas Association expressed concerns with the breadth of this change, its potential impact on permit review and compliance actions and lack of clarity. To increase clarity, the EQB should include the phrase “point and nonpoint source” before “discharges” rather than deleting language from § 93.2(a).

In addition, the proposed deletion raises serious questions over the types of activities that are currently

regulated under Chapter 93. The Department needs to describe in detail in the regulation what will be regulated under Chapter 93. For example, how does Chapter 93 pertain to the regulation of stream withdrawals or mine subsidence?

2. Section 93.7. Specific water quality criteria.—Effect on this Commonwealth's natural resources; Consistency with Federal standards; Reasonableness; Clarity.

Commentators expressed serious concerns with the proposed changes in the dissolved oxygen (DO) criteria under Table 3 in § 93.7. The United States Environmental Protection Agency (EPA) Region 3 and the United States Fish and Wildlife Service both expressed support for the proposed changes in the DO criteria. However, they raised several issues related to clarifying the application of the criteria and the stratification process.

The EQB should clarify the new language in Table 3 or define the new phrase “process of stratification” in the final-form regulation. Another approach would be creating an exception that states the DO criteria will apply only to the epilimnion of a lake, pond or impoundment if stratification is documented.

3. Water Quality Issues raised by Commentators.—Fiscal impact; Effect on this Commonwealth's natural resources; Consistency with Federal statutes; Implementation procedure; Clarity.

Commentators raised several substantive concerns regarding Chapter 93 that were not addressed in this proposed regulation. The commentators indicated that they have been discussing many of these areas with the Department for years. These areas include the following topics:

- Adoption of the EPA recommendation concerning the use of *E. coli* or enterococci as an indicator of bacterial contamination instead of fecal coliform.
- EPA concern involving time extensions under § 95.4 that should be governed by variances under Chapter 93.
- EPA water quality criterion for chloride.
- DO criteria from EPA Goldbook.
- Addition of biological criteria in Chapter 93.
- Mixing zones.
- “Cool water fishes” or “transitional fishes” use.
- EPA criteria for methylmercury.

If the EQB finds merit in one or more of these issues and decides to amend its existing regulations, it should submit the amendments as a new proposed rulemaking. Section 303(c)(1) of the Federal Clean Water Act (33 U.S.C.A. § 1313(c)(1)) requires a state to hold public hearings for the purpose of modifying or adopting water quality standards. Submitting a proposed rulemaking would allow the EQB to meet the Federal requirement and insure all parties have an opportunity to comment on any additional changes to Chapter 93.

Pennsylvania Public Utility Commission Regulation No. 57-228

Electric Service Reliability

January 21, 2004

We submit for 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 Pennsylvania Public Utility Commission (PUC) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on December 22, 2003. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

1. Section 57.192. Definitions.—Clarity.

Section 57.192 defines “performance benchmark” and “performance standard” as “the average historical performance” and “minimum performance allowed” respectively. Clarity would be improved by specifying that performance benchmarks are established by the PUC based on each electric distribution company’s (EDC) historical reliability performance, and performance standards are established by the PUC and tied to each EDC’s performance benchmark.

2. Section 57.195. Reporting requirements.—Need; Reasonableness; Clarity.

Unnecessary or duplicative reporting

Section 57.195 identifies data that must be reported on an annual and quarterly basis. Some EDCs have challenged the need for the quarterly reports in addition to the annual reliability report. In the preamble, the PUC explains that quarterly reports are intended to give the PUC more frequent information about service reliability. The PUC further states that it will be able to “identify potential problems in a timely manner and monitor the EDC’s response to problems which may arise between annual reports.” However, the preamble does not specify what actions will take place when problems are identified. In the preamble to the final-form regulation, we

suggest that the PUC further explain the actions it may take in response to problems identified in a quarterly report.

Additionally, EDCs have commented that some of the reporting requirements are duplicative of information that is already reported to the PUC in another form. For example, an EDC notes that the required reporting of each “major event” duplicates information filed by EDCs in the existing Service Interruption Reports under § 67.1. The PUC should review this proposed regulation in comparison to other existing reporting requirements, and where appropriate, eliminate redundancies.

Proprietary data

Several EDCs assert that the data, which is required to be reported, is proprietary and should not be reported to the public. PUC staff explained that the PUC does not publish all the data that is collected and will not release proprietary data to the public. We note, however, that the regulation does not address the confidential treatment of proprietary data. It is unclear if the PUC intends to deem certain information proprietary, or if an EDC would have to apply for a protective order under § 5.423. In the final-form regulation, the PUC should specify the procedures for identifying and protecting the confidentiality of proprietary information.

Subsection (a)

This subsection requires EDCs to submit annual reliability reports on or before March 31 of each year. Currently, the annual reliability reports are due by May 31. Some EDCs have suggested that the proposed date for submission of these reports be changed from March 31 to April 30. According to these EDCs, this change would allow more time for them to analyze and review the service interruption data used to prepare the annual reliability report.

In the preamble, the PUC explains that the current May 31 submittal date should be changed because if an EDC performs poorly in the year being reported on, 5 or more months will pass before the PUC is aware of it. Therefore, the PUC proposes changing the submission date to March 31. Given that the PUC is also proposing to add a quarterly reporting requirement, which will provide reliability performance data in a timely manner, the problem of the PUC being unaware of poor performance prior to receiving the annual report should be alleviated. Therefore, the PUC should consider adopting the commentators’ request for an April 30 submission date for the more detailed annual reliability reports.

Subsection (b)

Paragraphs (10) and (11) require reporting of transmission and distribution operation and maintenance expenses and capital expenditures detailed by Federal Energy Regulatory Commission (FERC) account. PPL Electric Utilities Corporation comments that it budgets by functional activity, and conversion of the data into FERC accounts would be burdensome. Has the PUC considered allowing reporting of this data in an alternate format to accommodate EDC operational practices? If so, the PUC should either specify the acceptable alternate formats in the final-form regulation, or include a cross-reference to the procedures outlined in § 1.91.

State Board of Education Regulation No. 6-280
Pupil Personnel Services and Students
January 21, 2004

We submit for 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 State Board of Education (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on December 22, 2003. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

1. Section 12.4. Discrimination.—Clarity.

This section uses the term “handicaps.” A commentator suggests that this term be replaced with “disability.” We agree and recommend that the final-form regulation include this change.

2. Section 12.6. Exclusions from school.—Clarity.

Subsection (a) uses the term “exceptional students.” Based on discussions with Board staff, we understand this term applies to students with disabilities who are eligible for special education services. For clarity, the Board should replace “exceptional students” with “students with disabilities.”

Subsection (e)(2), regarding the education of expelled students, states:

“Within 30 days of action by the school board of directors, the parents or guardian shall submit to the school district written evidence that the required education is being provided as described in paragraph (1) or that they are unable to do so. If the parents or guardian are unable to provide the required education, the district then *shall* make provision for the student’s education.” (Emphasis added.)

The Board has indicated that districts do not have a responsibility to provide the required education until after the 30 days has expired, regardless of when the parent or guardian notifies them that they cannot provide the education. The second sentence quoted previously could be interpreted to require a district to provide the required education as soon as they receive notification from the parent or guardian that they are unable to provide the required education. The final-form regulation should clarify when a district is required to begin providing the required education.

3. Section 12.8. Hearings.—Clarity.

Subsection (b)(ii) requires that “sufficient notice of the time and place of the hearing shall be given.” The final-form regulation should specify the minimum time period that qualifies as “sufficient notice.”

4. Section 12.9. Freedom of expression.—Clarity.

Subsection (a) references the United States Supreme Court case *Tinker v. Des Moines Community School District*, 393 U.S. 503 (1969). *Tinker* was later distinguished by the United States Supreme Court in *Bethel School District v. Fraser*, 478 U.S. 675 (1986). Therefore, we recommend that the *Tinker* citation be replaced with the *Bethel* citation.

5. Section 12.32. Elements of the plan.—Reasonableness; Clarity.

Subsection (a) requires the plan for student services to “conform to guidelines issued by the Department of

Education.” Requiring compliance with “guidelines” is problematic because guidelines are nonbinding. Based on discussions with Board staff, we understand there are multiple State and Federal statutes, regulations and associated directives with which school districts must comply. Since these laws, regulations and directives change frequently, Board staff explained that it would be difficult to maintain a complete and accurate list of these documents in the regulation. Instead, the Board instructed the Department of Education to compile a complete list of these documents in guidelines which will be published in the *Pennsylvania Bulletin*.

We recognize the difficulty in maintaining an accurate list of laws and directives which may change frequently. However, we note that subsection (b) specifically references the Federal Family Educational Rights and Privacy Act of 1974. If a complete list of applicable laws, regulations and directives will be published in a forthcoming guidance document, it is potentially confusing to specifically identify only one of the applicable laws in subsection (b).

As an alternative, the Board should consider amending the language in subsection (a) to require compliance with applicable State and Federal laws, regulations and associated directives which will be “identified in guidelines issued by the Department of Education.” Consistent with this approach, the Board should also delete subsection (b) to eliminate potential confusion regarding which laws apply.

6. Section 12.42. Student services.—Reasonableness; Clarity.

Subsection (b)

This subsection identifies services that must be provided by local education agencies in planning their student services programs. These services include “developmental services,” “diagnostic, intervention and referral services” and “consultation and coordination services.” Clarity would be improved by defining these terms, including the specific types of services encompassed by each of them.

Subsection (d)

This subsection requires parents to be informed when “student assessments using individual standardized psychological tests are administered.” It also grants parents “the right to challenge the appropriateness of any individual standardized tests via procedures established by the local education agency.” Commentators have raised several concerns with this subsection.

The Pennsylvania School Boards Association (PSBA) questions how “appropriateness” will be defined and what forum or procedure will be used to entertain challenges. The PSBA further comments that to the extent the testing is related to identification for special education or modification of a student’s existing Individualized Education Plan, the forum for resolving disputes is contained in the Federal Individuals with Disabilities Education Act (IDEA) and the Board’s existing Chapter 14 regulations. If the Board anticipates only special education challenges, the PSBA suggests that subsection (d) should expressly state that the parents’ due process rights fall under IDEA.

The Education Law Center (ELC) comments that allowing parental challenges “via procedures established by the local education agency” appears to conflict with the complaint process for psychological testing established under IDEA. The ELC further comments that subsection

(d) “may also conflict with 20 USC § 1232h which prohibits schools from requiring students to submit to certain types of psychological evaluation.”

The Pennsylvania Psychological Association (PPA) also requests further clarification regarding a parent’s right to challenge the appropriateness of psychological tests. The PPA states that it is unclear if the regulation refers to challenging a single test that may be administered to multiple students, or tests that are administered to a single student.

We agree with the commentators that subsection (d) needs further clarification. Specifically, the Board should clarify if the psychological testing and parental challenges apply to areas other than special education. If so, the Board should identify other instances in which psychological testing would be used and specify the procedures to challenge this testing. If subsection (d) applies only to special education services, the Board should reference the IDEA requirements and Chapter 14 appeal procedures that apply.

7. Miscellaneous clarity issues.

- Sections of this proposed rulemaking use the terms “school board,” “board of directors,” “board of school directors,” “local education agency” and “governing body of every local education agency.” For clarity, we recommend that one term be defined and used consistently throughout Chapter 12.

- Throughout the proposed regulation, there are references to both “parents” and “parents or guardians.” For consistency, the regulation should refer to “parents or guardians” throughout Chapter 12.

State Board of Physical Therapy Regulation No. 16A-6510

Certificate of Authorization

January 21, 2004

We submit for 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 State Board of Physical Therapy (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on December 22, 2003. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

1. Section 40.2. Practice of medicine prohibited.— Consistency with statute.

This existing section states “[T]he license issued to those practicing physical therapy does not authorize . . . the right to apply any of these treatments except upon the referral of a physician” Act 6 of 2002 amended 63 P. S. § 1309(a) to state “Except as provided in subsection (b), no person licensed under this act as a physical therapist shall treat human ailments by physical therapy or otherwise except by referral” Subsection (b) of this statutory section provides the conditions for practice without referral. In addition to the amendments proposed, § 40.2 should be amended to be consistent with 63 P. S. § 1309.

2. Section 40.61. Certificate of authorization to practice physical therapy without a referral.— Consistency with statute; Reasonableness; Clarity.

There are three concerns with this section.

First, a physical therapist is required to refer patients to a licensed physician or other appropriate health care practitioner in “cases for which treatment is beyond the education, expertise or experience of the physical therapist” (63 P. S. § 1309(d)(3)). This provision is not reflected in the regulation. For example, subsection (a)(3)(i) and (ii) does not relate the type of patient care delivered in the past to the type of physical therapy that can be practiced without a referral. The statutory limitations of 63 P. S. § 1309(d)(3) should be added to the regulation.

Second, subsection (a)(5) defines continuous practice “as a minimum of 200 hours each year in the delivery of direct patient care.” The preamble explains that the Board determined that 200 hours per year represents approximately 10% of annual practice. How was this determined to be continuous practice? Why is a minimum of 200 hours per year the appropriate amount of experience to allow a physical therapist to practice without referral?

Finally, subsection (a) includes a list of requirements that a physical therapist must meet to be eligible to obtain a certificate of authorization. This list includes paragraph (5) which is a definition of “continuous practice.” Since this is a definition, it should not be listed as a requirement. For clarity, the Board should move this definition to paragraph (3) where the term is applicable.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-196. Filed for public inspection January 30, 2004, 9:00 a.m.]

INSURANCE DEPARTMENT

Laurel A. Andrews; Hearing

Appeal of Laurel A. Andrews under 40 P. S. §§ 991.2101—991.2193; Doc. No. HC04-01-005

A prehearing telephone conference initiated by the Administrative Hearings Office shall be conducted on March 25, 2004, at 1:30 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before February 26, 2004. The hearing shall occur on April 8, 2004, at 2 p.m. in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before March 12, 2004, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene shall be filed on or before March 18, 2004.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid,

service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-197. Filed for public inspection January 30, 2004, 9:00 a.m.]

Application for Merger

An application has been received requesting approval of the merger of Aetna Dental, Inc., a risk assuming preferred provider organization organized under the laws of the Commonwealth, with and into Aetna Life Insurance Company, an admitted stock life insurance company organized under the laws of Connecticut. The filing was made under the Insurance Holding Companies Act (40

P. S. §§ 991.1401—991.1413). Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit written statements to the Insurance Department (Department) within 14 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Written statements must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Stephanie Ohnmacht, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, sohnmacht@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-198. Filed for public inspection January 30, 2004, 9:00 a.m.]

Eligible Surplus Lines Insurer List

In accordance with section 1605(b) of the Insurance Company Law of 1921 (40 P. S. (991.1605(b))), the Insurance Department hereby publishes the most recent Eligible Surplus Lines Insurer List (list). This list replaces in its entirety the list as of July 3, 2003, published at 33 Pa.B. 3914 (August 2, 2003).

Persons with 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 Tuesday, January 20, 2004

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
48123	ACE INA UK LIMITED	100 LEADENHALL STREET LONDON, United Kingdom 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, Great Britain EC3R7NE
48099	ALLIANZ MARINE & AVIATION VERSICHERUNG AG	GROBER BURSTAH 3 HAMBURG, Germany D-20457
10516	ALLIANZ UNDERWRITERS INSURANCE COMPANY	2350 EMPIRE AVENUE BURBANK, CA 91054-3350
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

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10524	APPALACHIAN INSURANCE COMPANY	ALLENDALE PARK P. O. BOX 7500 JOHNSTON, RI 02919-0500
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, Italy 34132
22349	ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED	LIBERTY INTERNATIONAL 73 FRONT STREET, 3RD FLOOR HAMILTON, Bermuda HM11
10525	ASSOCIATED INTERNATIONAL INSURANCE COMPANY	21820 BURBANK BOULEVARD, #330 WOODLAND HILLS, CA 91367
41586	ATLANTIC CASUALTY INSURANCE COMPANY	400 COMMERCE COURT GOLDSBORO, NC 27534
10526	AUDUBON INDEMNITY COMPANY	795 WOODWAYS PARKWAY SUITE 310 RIDGELAND, MS 39157
41562	AXA CORPORATE SOLUTIONS ASSURANCE	4 RUE JULES LEFEBVRE PARIS, France 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, Great Britain 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.	2ND FLOOR, SWAN BUILDING 26 VICTORIA STREET HAMILTON, Bermuda HM12
10529	CENTENNIAL CASUALTY COMPANY	2200 WOODCREST PLACE SUITE 200 BIRMINGHAM, AL 35209
10531	CENTURY SURETY COMPANY	2400 CORPORATE EXCHANGE DRIVE COLUMBUS, OH 43231
22371	CGU INTERNATIONAL INSURANCE PLC	ST. HELEN'S 1 UNDERSHAFT LONDON, Great Britain 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 23235-6865
10582	COLONY NATIONAL INSURANCE COMPANY	9201 FOREST HILL AVENUE SUITE 200 RICHMOND, VA 23235-6865

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10534	COLUMBIA CASUALTY COMPANY	CNA PLAZA CHICAGO, IL 60685
22388	COMMONWEALTH INSURANCE COMPANY	595 BURRARD STREET, SUITE 1500 BOX 49115 BENTALL TOWER THREE VANCOUVER, V7X 1G4
37372	CRUM & FORSTER SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018
10538	CRUSADER INSURANCE COMPANY	23251 MULHOLLAND DRIVE WOODLAND HILLS, CA 91364
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 06070-7683
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 62701-1822
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
37373	GENERAL SECURITY INDEMNITY COMPANY	199 WATER STREET 21ST FLOOR NEW YORK, NY 10038
10552	GENERAL SECURITY INDEMNITY COMPANY OF ARIZONA	818 EAST OSBORN ROAD PHOENIX, AZ 85014
10554	GENERAL STAR INDEMNITY COMPANY	695 EAST MAIN STREET P. O. BOX 10354 STAMFORD, CT 06904-2354
22411	GENERALI-FRANCE ASSURANCES	5 RUE DE LONDRES PARIS, France 75009
10555	GENESIS INDEMNITY INSURANCE COMPANY	316 NORTH FIFTH STREET BISMARCK, ND 58501
44715	GLENCOE INSURANCE LIMITED	RENAISSANCE HOUSE, 8 EAST P. O. BOX HM 2527 HAMILTON HM GX, Bermuda
10556	GOTHAM INSURANCE COMPANY	919 THIRD AVENUE 10TH FLOOR NEW YORK, NY 10022

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
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
10540	GREAT AMERICAN PROTECTION INSURANCE COMPANY	2700 MARKET TOWER 10 WEST MARKET STREET INDIANAPOLIS, IN 46204
22412	GREAT LAKES REINSURANCE (UK) PLC	UPPER GROUND FLOOR, 1 MINSTER MINCING LANE LONDON, Great Britain EC3R7AA
36489	GUILFORD INSURANCE COMPANY	528 SOUTH FIFTH STREET SUITE 210 SPRINGFIELD, IL 62701-1822
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 77040-6094
45559	IF P & C INSURANCE LIMITED	BARKS VAG 15 BERGSHAMRA, Sweden
10560	ILLINOIS EMCASCO INSURANCE COMPANY	717 MULBERRY STREET DES MOINES, IA 50309-3872
10561	ILLINOIS UNION INSURANCE COMPANY	525 WEST MONROE STREET CHICAGO, IL 60631
22413	INDEMNITY MARINE ASSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, Great Britain 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 60606-4617
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, Great Britain 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	7130 GLEN FOREST SUITE 210 RICHMOND, VA 23226
26714	KEMPER INDEMNITY INSURANCE COMPANY	1 KEMPER DRIVE LONG GROVE, IL 60049-0001
38900	KEMPER SURPLUS LINES INSURANCE COMPANY	1 KEMPER DRIVE LONG GROVE, IL 60049-0001
8967	LANDMARK AMERICAN INSURANCE COMPANY	115 S. W. 89TH STREET OKLAHOMA CITY, OK 73139-8501
10567	LANDMARK INSURANCE COMPANY	777 SOUTH FIGUEROA STREET LOS ANGELES, CA 90017

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
45576	LANTANA INSURANCE LTD.	RENAISSANCE HOUSE 8-12 EAST BROADWAY HAMILTON, Bermuda 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, Great Britain EC3R7AA
18457	LIBERTY SURPLUS INSURANCE CORPORATION	175 BERKELEY STREET BOSTON, MA 02117
22416	LLOYD'S (UNDERWRITERS AT)	ONE LIME STREET LONDON, Great Britain EC3M7HA
22417	LONDON AND EDINBURGH INSURANCE COMPANY LIMITED	8 SURREY STREET NORWICH NR1 3NG ENGLAND, Great Britain EC3M5BT
22418	MARINE INSURANCE COMPANY LIMITED	ST MARKS COURT. CHART WAY HORSHAM, WEST SUSSEX ENGLAND, Great Britain RH 12 1XL
22455	MARKEL INTERNATIONAL INSURANCE COMPANY LIMITED	THE MARKEL BUILDING 49 LEADENHALL STREET LONDON, Great Britain 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 68131-3580
10574	NAUTILUS INSURANCE COMPANY	7273 EAST BUTHERUS DRIVE SCOTTSDALE, AZ 85260
10575	NIC INSURANCE COMPANY	ONE PENN PLAZA NEW YORK, NY 10119-0002
10537	NOETIC SPECIALTY INSURANCE COMPANY	C/O LORD BISSELL & BROOK 115 SOUTH LA SALLE STREET CHICAGO, IL 60603
10576	NORTH AMERICAN CAPACITY INSURANCE COMPANY	650 ELM STREET MANCHESTER, NH 03101-2524
22420	NORTHERN ASSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, Great Britain EC3P3DQ
10577	NORTHFIELD INSURANCE COMPANY	7117 HICKMAN ROAD DES MOINES, IA 50322
10578	NUTMEG INSURANCE COMPANY	HARTFORD PLAZA HARTFORD, CT 06115
22421	OCEAN MARINE INSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, Great Britain 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

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
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, Great Britain EC3R7NE
47448	QBE SPECIALTY INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
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 64112-1802
10591	SCOTTSDALE INSURANCE COMPANY	ONE NATIONWIDE PLAZA COLUMBUS, OH 43215
44276	SENECA SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018-7256
33514	SIRIUS INTERNATIONAL INSURANCE CORPORATION	BIRGER JARISGATAN 57B STOCKHOLM, Sweden SE 113 96
10565	SPECIALTY SURPLUS INSURANCE COMPANY	1 KEMPER DRIVE LONG GROVE, IL 60049-0001
22453	SR INTERNATIONAL BUSINESS INSURANCE COMPANY LIMITED	71-77 LEADENHALL STREET LONDON, Great Britain EC3A2PQ
22454	ST. PAUL REINSURANCE COMPANY LIMITED	52 LIME STREET LONDON, Great Britain EC3M7BS
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 PARTRIDGE SHOW & HAHN LLP 180 SOUTH MAIN STREET PROVIDENCE, RI 02903
22456	THROUGH TRANSPORT MUTUAL INSURANCE ASSOCIATION LIMITED	WINDSOR PLACE, QUEEN STREET P. O. BOX HM655 HAMILTON, Bermuda 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

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10600	ULICO INDEMNITY COMPANY	320 WEST CAPITAL STREET SUITE 1000 LITTLE ROCK, AR 72201-3525
10603	UNITED COASTAL INSURANCE COMPANY	40 NORTH CENTRAL AVENUE PHOENIX, AZ 85004
44120	UNITED NATIONAL CASUALTY INSURANCE COMPANY	5253 HOHMAN AVENUE P. O. BOX 1150 HAMMOND, IN 46320
10558	UNITED NATIONAL SPECIALTY INSURANCE COMPANY	411 EAST WISCONSIN AVENUE SUITE 700 MILWAUKEE, WI 53202
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 27605-0800
10604	XL SELECT INSURANCE COMPANY	120 NORTH ROBINSON OKLAHOMA CITY, OK 73102
22460	YORKSHIRE INSURANCE COMPANY LIMITED	2 ROUGIER STREET YORK, Scotland 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, Bermuda HMJX
22462	ZURICH SPECIALTIES LONDON LIMITED	THE ZURICH BUILDING 90 FENCHURCH STREET LONDON, Great Britain EC3M4JX

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-199. Filed for public inspection January 30, 2004, 9:00 a.m.]

GEICO General Insurance Company; Automobile, Motorcycle and Personal Umbrella Liability Casualty Manuals Rate and Rule Revisions; Rate Filing

On January 13, 2004, the Insurance Department (Department) received from GEICO General Insurance Company a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 3.6% increase amounting to \$2.191 million annually, to be effective March 1, 2004, for new business and April 19, 2004, for renewal business.

Unless formal administrative action is taken prior to March 13, 2004, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website: www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" on the left side. Then scroll down to "General Information" in the middle of the page and click on "Notices." The PDF copy of this filing is at the "Filing.pdf" link following the name of the filing.

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

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square,

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-200. Filed for public inspection January 30, 2004, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to 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 hearing will be held in the Insurance Department's regional office in Philadelphia, 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 Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Laura D. Thomas; file no. 03-280-05689; Travelers Insurance Company; doc. no. PH04-01-006; March 4, 2004, 1:30 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 Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-201. Filed for public inspection January 30, 2004, 9:00 a.m.]

OFFICE OF GENERAL COUNSEL

Bond Counsel Invitation to Qualify

The Governor's Office of General Counsel (OGC) has established pools of qualified counsel to serve as bond counsel to the following agencies: Commonwealth of Pennsylvania; Office of the Budget; Pennsylvania Infrastructure Investment Authority; State System of Higher Education; Pennsylvania Housing Finance Agency; Pennsylvania Economic Development Financing Authority; Pennsylvania Industrial Development Authority; Pennsylvania Higher Educational Facilities Authority; and the State Public School Building Authority. The OGC is seeking to review qualifications from legal service providers (law firms) for participation in four designated bond counsel pools to serve the previous financing agencies through a formal Supplementary Invitation to Qualify (ITQ) process.

For more information regarding this Supplementary ITQ, law firms should contact David J. DeVries, Office of General Counsel, 333 Market Street, 17th Floor, Harrisburg, PA 17101, fax (717) 772-9187. Submissions to this Supplementary ITQ are due by 2 p.m. on Monday, March 1, 2004. The OGC will reject as nonresponsive all submissions received after this date and time. The OGC expects to make its bond counsel appointment for further Commonwealth financing transactions only to law firms identified and qualified through this Supplementary ITQ process and thus strongly encourages any and all interested law firms which are not currently qualified to participate at this time to ensure consideration of their qualifications to provide bond counsel services.

LESLIE ANNE MILLER,
General Counsel

[Pa.B. Doc. No. 04-202. Filed for public inspection January 30, 2004, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION

Drinking Water State Revolving Fund Projects; Federal FY 2004 and 2005 Project Priority List and FY 2004 Intended Use Plan

The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection (Department) have received approval from the United States Environmental Protection Agency (EPA) of the combined Federal fiscal year (FY) 2004 and 2005 drinking water program Project Priority List (PPL) and the FY 2004 Intended Use Plan (IUP). The IUP includes

a list of drinking water projects to be considered for a design and engineering or construction loan from funds the Commonwealth expects to receive from FY 2004 funds approved by Congress to capitalize the Drinking Water State Revolving Fund (DWSRF) program.

The FY 2004/2005 DWSRF PPL was developed in conformance with the requirements of the Federal Safe Drinking Water Act Amendments of 1996 (act) and Federal guidance. The act stipulates that states must maintain a PPL of drinking water projects from which to develop the annual IUP list of projects to be funded.

The projects to be considered for a loan from the DWSRF must meet the Federal requirements for funding in accordance with section 1452 of the Federal Safe Drinking Water Act. Accordingly, the projects included in the IUP are expected to meet the requirements applicable to use of the DWSRF loan funds. Projects listed in the FY 2004 IUP are on the Commonwealth's FY 2004/2005 PPL and are expected to proceed with design and engineering or to construction in the near future. Other projects on the DWSRF PPL are projects that are in development or will be developed for future loan consideration. A project removed from an IUP is maintained on the PPL, unless otherwise completed.

A public hearing was held on October 22, 2003, for the purpose of receiving comments from the public regarding the FY 2004/2005 PPL and the FY 2004 IUP. Notice of this hearing was published at 33 Pa.B. 4514 (September 6, 2003). Interested persons were invited to express their views on the narrative portion of the IUP, the set-aside work plan and the priority rating or ranking of projects on the IUP and the PPL at the public hearing. No comments were received.

The FY 2004/2005 DWSRF PPL and FY 2004 DWSRF IUP list of projects, as well as the narrative portion of the IUP and set-aside work plan, are available for public review in the following offices and are accessible through the Department's website: www.dep.state.pa.us/dep/deputate/watermgt/WSM/WSM_TAO/Finan_Tech_Asst.htm.

DEP—Southeast Region
Water Supply Manager
Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428
(610) 832-6060

DEP—Northeast Region
Water Supply Manager
2 Public Square
Wilkes-Barre, PA 18711-0790
(570) 826-2511

DEP—Southcentral Region
Water Supply Manager
900 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4708

DEP—Northcentral Region
Water Supply Manager
208 West 3rd Street
Williamsport, PA 17701
(570) 327-3675

DEP—Southwest Region
Water Supply Manager
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4217

DEP—Northwest Region
Water Supply Manager
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6899

DEP—Bureau of Water Supply and Wastewater
Management
Division of Municipal Financial Assistance
Administrative Services Section
10th Floor, Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101
(717) 787-6744

PENNVEST
22 S. Third Street, 4th Floor
Keystone Building
Harrisburg, PA 17101
(717) 787-8137

KATHLEEN A. MCGINTY,
Secretary
Department of Environmental Protection
Vice Chairperson
Pennsylvania Infrastructure Investment Authority
and

PAUL K. MARCHETTI,
Executive Director
Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 04-203. Filed for public inspection January 30, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation Order

Public Meeting held
January 16, 2004

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

Investigation regarding the Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company's Reliability Performance;
Doc. No. I-00040102

Investigation Order

By the Commission:

Under 66 Pa.C.S. § 1501, the Commission has a fundamental duty to ensure that public utilities which operate as electric distribution companies (EDCs) in this Commonwealth are providing safe, adequate and reasonably continuous service to their customers without unreasonable interruptions or delay and in accordance with our regulations and orders. Today we initiate a formal investigation of the Metropolitan Edison Company (Met-Ed), Pennsylvania Electric Company (Penelec) and Pennsylvania Power Company (Penn Power) (collectively referred to as FirstEnergy companies) levels of compliance with the Public Utility Code and the Commission's regulations and orders with regard to reliable electric service.

The Electricity Generation Customer Choice and Competition Act (act), 1996, Dec. 3, P.L. 802, No. 138 § 4, became effective January 1, 1997. The act authorized the

Commission to ensure that levels of reliability that were present prior to the restructuring of the electric utility industry would continue in the new competitive markets. 66 Pa.C.S. §§ 2802(12), 2804(1) and 2807(a)(d).

Thus, the Commission promulgated regulations in 52 Pa. Code §§ 57.191—57.197 to ensure reliability would be maintained in the new competitive markets. On December 16, 1999, the Commission entered a Final Order at Docket No. M-00991220, which established reliability benchmarks and standards for the EDCs in accordance with 52 Pa. Code § 57.194(h). These benchmarks and standards have been in effect since 1999.

The Commission established the Staff Internal Working Group on Electric Service Reliability (Working Group) to examine, in detail, the level of reliability provided by Pennsylvania's EDCs post-restructuring. In the course of this work, the Staff examined the reliability data filed in compliance with Commission regulations. In addition, the Working Group obtained additional monthly reports and data from certain companies, including two of the FirstEnergy companies, Met-Ed and Penelec.

Based on the Commission's review of the reliability data filed in compliance with our regulations, the additional monthly reports and other reliability data, we are concerned the FirstEnergy companies may not be meeting the reliability standards regarding the frequency and duration of service outages established in our Order of December 16, 1999, at Docket No. M-00991220. Our main concern is whether the service reliability performance of one or more of the FirstEnergy companies has deteriorated to a point below the level of service reliability that existed prior to restructuring.

We are not concluding that performance has deteriorated in violation of the act or that the deterioration is due to factors within the control of the FirstEnergy companies. However, there is enough information before us to warrant further investigation. Therefore, this Commission is persuaded to order a formal investigation to further examine the level of service reliability provided by the FirstEnergy Companies, and refer this matter to the Office of Administrative Law Judge (OALJ) for an on the record proceeding, following a sufficient discovery period. We direct Law Bureau Prosecutory Staff to participate in the investigation, and to utilize technical assistance from the Bureau of Fixed Utility Services, Audits and Conservation, Economics and Energy Planning as necessary.

To fully address the Commission's concerns regarding service reliability at the FirstEnergy companies, the scope of this formal investigation should include, but not be limited to, the following areas:

- Underlying causes for outages.
- Adequacy of inspection and maintenance cycles.
- Tree-trimming activities and contracts.
- Changes to budgeted/actual capital and operating expenditures in select areas in prior years.
- Emergency call-out procedures and calculation of the acceptance rate.
- Hiring/contracting practices for line workers.
- Other factors, practices and policies that may affect service reliability.

At the outset, this investigation should focus on the issue of whether the service reliability of any of the FirstEnergy companies has deteriorated below the level required by the act. However, the presiding ALJ shall also take evidence from the parties on recommendations for

corrective actions to be taken by the FirstEnergy companies if it is found that service reliability has deteriorated. Civil fines and penalties, however, are not within the scope of this proceeding.

The investigation will be assigned to the OALJ to conduct hearings as may be necessary to address the concerns outlined in this Investigation Order and to place in evidence the relevant findings and any recommendations for corrective actions. We expect testimony to be presented by the FirstEnergy companies, Staff and intervenors to address these matters. After briefing, the presiding ALJ will issue a Recommended Decision, subject to exceptions, for the Commission's consideration. We expect the presiding ALJ to render a Recommended Decision on this matter by September 30, 2004, to allow the Commission ample time to review and issue a Final Order before December 16, 2004. *Therefore,*

It Is Ordered That:

1. A formal investigation is hereby instituted to examine the level of service reliability provided by the FirstEnergy companies including: Metropolitan Edison Company, Pennsylvania Power Company and Pennsylvania Electric Company.

2. The investigation is assigned to the OALJ to conduct hearings as may be necessary to address the concerns outlined in this Investigation Order and to issue a Recommended Decision by September 30, 2004.

3. Under 52 Pa. Code § 1.2(c), the presiding ALJ is authorized to waive appropriate sections of the Commission's rules of practice and procedure, as necessary, to resolve disputed issues and file a Recommended Decision on or before September 30, 2004.

4. A copy of this Investigation Order be served on Metropolitan Edison Company, Pennsylvania Power Company, Pennsylvania Electric Company, the Attorney General's Office of Consumer Advocate and the Office of Small Business Advocate. In addition, the Secretary shall cause a copy of this order to be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-204. Filed for public inspection January 30, 2004, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 23, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-00120378. Alfonso M. Logan t/d/b/a We Are Blessed Limousine Service (5402 Norfolk Street, Philadelphia, PA 19143)—persons in paratransit service, from points in the City and County of Philadelphia, to correctional facilities in Pennsylvania, and return.

A-00120257 (Corrected). Keisha L. Martin t/d/b/a Martin Transportation Service (P. O. Box 2759, Philadelphia, PA 19120)—persons in paratransit service, from points in the City and County of Philadelphia, to correctional facilities in Pennsylvania, and return.

A-00120377. Robert E. Weicksel (2124 Kirkwood Pike, Kirkwood, Lancaster County, PA 17536)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return.

Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.

A-00113766, Folder 1, Am-A. John Four Transportation Services, Inc. t/d/b/a Shamrock Transportation Services (126 McClellan Drive, Pittsburgh, Allegheny County, PA 15236), a corporation of the Commonwealth—persons, in limousine service, between points in Pennsylvania: *So As To Permit* the transportation persons in limousine service, between points in the County of Allegheny. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

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-00120380, F.2. Elheth, LLC t/d/b/a Electric City Cab (946 Columbia Street, Scranton, Lackawanna County, PA 18509)—persons upon call or demand: (1) in the City of Scranton, Lackawanna County; limited to 32 motor vehicles; (2) in the Boroughs of Moosic, Old Forge, Taylor, Dunmore, Throop and Olyphant, and within an airline distance of 3 statute miles of the limits of the Borough of Olyphant, all in Lackawanna County (F.1); and (3) in the City of Scranton, Lackawanna County, limited to 18 motor vehicles (F.3); which is to be a transfer of the rights authorized under the certificates issued at A-00113298, Fs. 1 and 3, to McCarthy Flowered Cabs, Inc., subject to the same limitations and conditions. *Attorney:* Joseph J. O'Brien, 203 Franklin Avenue, Scranton, PA 18509.

A-00120380. Elheth, LLC t/d/b/a Electric City Cab (946 Columbia Street, Scranton, Lackawanna County, PA 18509)—persons in airport transfer service, from the Wilkes-Barre/Scranton Airport, located in the Township of Pittston, Luzerne County, to points within an airline distance of 50 statute miles of said airport, and vice versa; subject to the following conditions: (1) that no right, power or privilege is granted to provide service to points in the County of Monroe, and within an airline distance of 10 statute miles of the limits thereof; and (2) that no right, power or privilege is granted to provide service to the City of Pittston and the Townships of Pittston and Jenkins and the Boroughs of Duryea, Avoca,

Dupont, West Pittston, Exeter, Wyoming, Laflin, Yatesville and Hughestown, all in Luzerne County; which is to be a transfer of the right authorized under the certificate issued at A-00113298, F.2, to McCarthy Flowered Cabs, subject to the same limitations and conditions. *Attorney:* Joseph J. O'Brien, 203 Franklin Avenue, Scranton, PA 18509.

A-00120375. Conshohocken Limo Company, Inc. (111 Leedom Avenue, Bala Cynwyd, Montgomery County, PA 19004), a corporation of the Commonwealth—persons in limousine service, between points in Pennsylvania; which is to be a transfer of the right authorized under the certificate issued at A-00112505 to Bruce Voell t/a Archway Limousine, subject to the same limitations and conditions. *Attorney:* John J. Gallagher, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-205. Filed for public inspection January 30, 2004, 9:00 a.m.]

Telecommunications

A-310758F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and XO Pennsylvania, Inc. Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and XO Pennsylvania, Inc. for approval of an opt-in master interconnection and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and XO Pennsylvania, Inc., by its counsel, filed on January 15, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an opt-in master interconnection and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The United Telephone Company of Pennsylvania d/b/a Sprint and XO Pennsylvania, 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. 04-206. Filed for public inspection January 30, 2004, 9:00 a.m.]

Tentative Order

Public Meeting held
January 16, 2004

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

In re: Webnet Communications, Inc. (2003.0333); A-310858

Tentative Order

By the Commission:

Webnet Communications, Inc. (Webnet) has failed to pay its \$40 annual assessment for 2003-2004 under section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). Webnet is a telecommunications interexchange reseller certificated at A-310858. Commission staff sent by certified mail a notice to Webnet that its 2003-2004 annual assessment was overdue. The notice came back as unclaimed, return to sender. Telephone calls to the last known business address of Webnet confirmed that the number is disconnected and no information is available for any new phone number. At this point, there is no reasonable means to reach the company, and it has failed in its responsibility to notify the Commission of any address or phone number changes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the imposition of any remedies as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Based on the findings of the Commission staff, we believe it is appropriate to revoke Webnet's certificate of public convenience without the necessity of a formal complaint, and we tentatively conclude that revocation of Webnet's certificate of public convenience under 66 Pa.C.S. § 1102(a)(2) is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties

under section 3301, instead of cancellation, if Webnet seeks relief from this Tentative Order; *Therefore,*

It Is Ordered That:

1. Revocation of Webnet Communications, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this order becoming final and without further action by the Commission, the certificate of public convenience held by Webnet Communications, Inc. at A-310858 shall be canceled and Webnet Communication's name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

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