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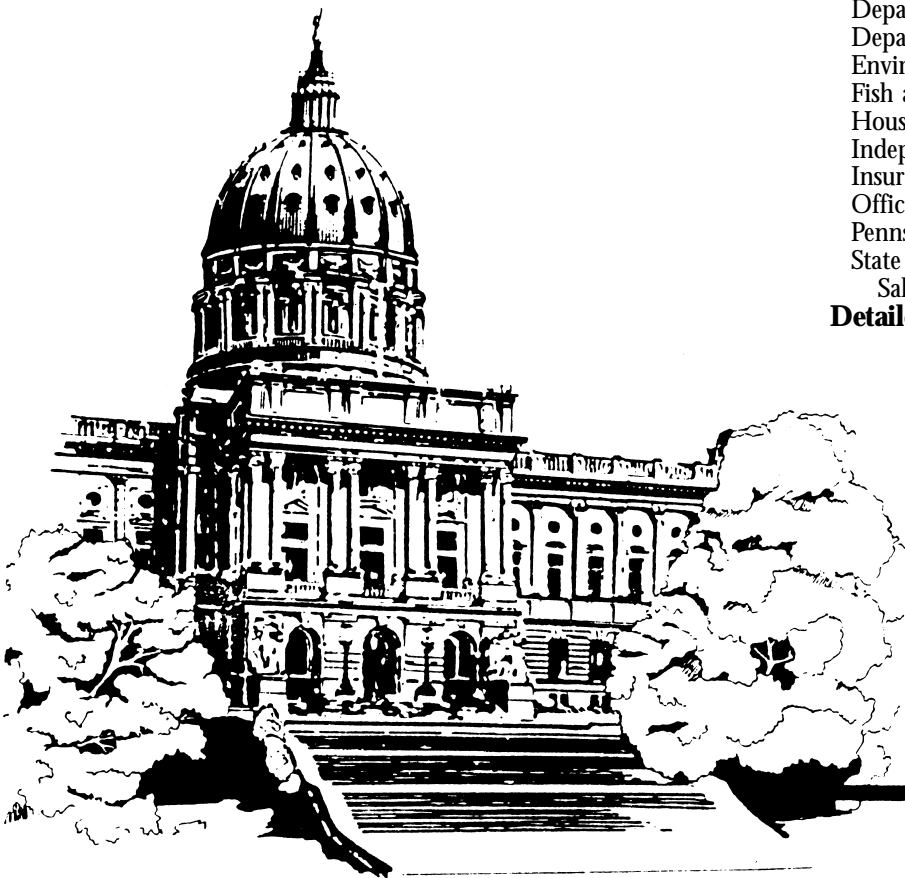
# PENNSYLVANIA BULLETIN

Volume 37  
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Number 6  
Pages 661—742

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The Courts  
Department of Agriculture  
Department of Banking  
Department of Environmental Protection  
Department of General Services  
Department of Revenue  
Department of Transportation  
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Fish and Boat Commission  
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Independent Regulatory Review Commission  
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State Board of Vehicle Manufacturers, Dealers and  
Salespersons

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**No. 387, February 2007**

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2007.

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# THE GENERAL ASSEMBLY

## HOUSE OF REPRESENTATIVES

### Committee Designation Under the Regulatory Review Act

Pursuant to the provisions of Act No. 181 of 1982, as amended, the Regulatory Review Act, the Speaker of the House is required to prescribe the jurisdiction of each standing committee of the House over the various State agencies for the purpose of reviewing proposed regulations.

I have, therefore, submitted the designated House committee to which you should submit any regulations which you may propose during the 2007-2008 Legislative Sessions.

\* Any department, departmental administrative board or commission, independent board, commission, or authority not contained in this list is assigned to the same designated standing committee as is their parent agency.

DENNIS M. O'BRIEN,  
*The Speaker*

#### Committee Referrals

##### *Aging and Older Adult Services Committee*

Department of Aging

##### *Agriculture and Rural Affairs Committee*

Department of Agriculture

Milk Marketing Board

Bureau of Farm Show

Agriculture Land Preservation Board

State Conservation Commission

##### *Appropriations Committee*

Budget

Auditor General

State Treasurer

Pennsylvania Infrastructure Investment Authority

##### *Children and Youth Committee*

Department of Public Welfare—(Only those regulations promulgated by the Office of Children, Youth and Families, and any other regulations issued by the Department of Public Welfare relating to child care.)

##### *Commerce Committee*

Department of Community and Economic Development

Securities Commission

Pennsylvania Housing Financing Agency

Pennsylvania Industrial Development Authority

Department of Banking

##### *Consumer Affairs Committee*

Public Utility Commission

##### *Education Committee*

Department of Education

Public School Employees' Retirement System

Higher Education Facilities Authority

PHEAA

State Board of Education

State Board of Private Academic Schools

State Board of Private Licensed Schools

Professional Standards and Practices Commission

State Public School Building Authority  
Board of Governors of State System of Higher Education

##### *Environmental Resources and Energy Committee*

Department of Environmental Protection

Department of Conservation and Natural Resources

Environmental Quality Board

State Board for Sewage Treatment Plant and Waterworks Operators

Environmental Hearing Board

##### *Finance Committee*

Department of Revenue—(Except for regulations promulgated by the State Lottery)

Board of Claims

State Tax Equalization Board

Board of Finance and Revenue

Commonwealth Financing Authority

##### *Gaming Oversight Committee*

Gaming Control Board—(Except for regulations promulgated by the Board relating to the sale and service of liquor and malt or brewed beverages by slot machine licensees.)

Harness Racing Commission

Horse Racing Commission

State Lottery

##### *Health and Human Services Committee*

Department of Health

Health Care Cost Containment Council

Department of Public Welfare—(Except for regulations promulgated by the Office of Children, Youth and Families, and any other regulations issued by the Department relating to child care.)

##### *Insurance Committee*

Department of Insurance

State Workmen's Insurance Board

Underground Storage Indemnification Fund

##### *Judiciary Committee*

State Police

Pennsylvania Commission on Crime and Delinquency

Department of Corrections

Office of General Counsel

Attorney General

Board of Pardons

Board of Probation and Parole

State Ethics Commission

Pennsylvania Commission on Sentencing

Municipal Police Officers Education and Training Commission

##### *Labor Relations Committee*

Civil Service Commission

Department of Labor and Industry

Unemployment Compensation Appeals Board of Review

Labor Relations Board

Workmen's Compensation Appeal Board

Office for the Deaf and Hearing Impaired

Industrial Board

##### *Liquor Control Committee*

Liquor Control Board

Gaming Control Board—(Only those regulations relating to the sale and service of liquor and malt or brewed beverages by slot machine licensees.)



*Local Government Committee*

Pennsylvania Municipal Retirement System

*Professional Licensure Committee*

Navigation Commission for the Delaware River

Accountancy Board

Architect Licensure Board

Auctioneer Examiners Board

Barber Examiners Board

Certified Real Estate Appraisers Board

Cosmetology Board

Funeral Directors Board

Landscape Architects Board

Professional Engineers Board

Real Estate Commission

Vehicle Board

Chiropractic Examiners Board

Dentistry Board

Medicine Board

Nursing Home Administrators Board

Occupational Therapy Education and Licensure Board

Optometrical Examiners Board

Osteopathic Medicine Board

Pharmacy Board

Physical Therapy Board

Podiatry Board

Psychology Board

State Board of Social Workers, Marriage and Family  
Therapists and Professional Counselors

Speech-Language and Hearing Examiners Board

Veterinary Medical Examiners Board

Nurse Board

*State Government Committee*

Department of General Services

Department of State

Human Relations Commission

PPTN

State Employees' Retirement System

Governor's Office

Public Employee Retirement Commission

State Athletic Commission

Independent Regulatory Review Commission

Joint Committee on Documents

*Tourism and Recreational Development Committee*

Historical and Museum Commission

*Transportation Committee*

Department of Transportation

Turnpike Commission

State Transportation Commission

*Veterans Affairs and Emergency Preparedness Committee*

Department of Military and Veterans Affairs

Pennsylvania Emergency Management Agency

[Pa.B. Doc. No. 07-197. Filed for public inspection February 9, 2007, 9:00 a.m.]

# THE COURTS

## Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. VIII]

### Proposed Amendment of Rule 803.1 and Revision of Comment

The Committee on Rules of Evidence is planning to recommend that the Supreme Court of Pennsylvania approve the Amendment of Pa.R.E. 803.1 and Revision of Comment. The changes are being proposed to provide for the admissibility of certain statements made at or near the time of the acts, events or conditions at issue.

This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's consideration in formulating this proposal. Please note that the Committee Report should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Report.

The text of the proposed changes precede the Report. Additions are bold, and deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel:

Richard L. Kearns  
Staff Counsel  
Supreme Court of Pennsylvania  
Committee on Rules of Evidence  
5035 Ritter Road, Suite 700  
Mechanicsburg, PA 17055

no later than February 21, 2007.

*By the Committee on Rules of Evidence*

SANDRA D. JORDAN,  
*Chair*

#### Annex A

### TITLE 225. RULES OF EVIDENCE

#### ARTICLE VIII. HEARSAY

#### Rule 803.1. Hearsay Exceptions; Testimony of Declarant Necessary.

The following statements, as hereinafter defined, are not excluded by the hearsay rule if the declarant testifies at the trial or hearing and is subject to cross-examination concerning the statement:

\* \* \* \* \*

**(2) *Written, Adopted, or Electronically Recorded Statement.* A statement made at or near the time of the reported acts, events, or conditions, that was written by the declarant, adopted in writing by the declarant, or electronically recorded, provided that the statement is disclosed in a timely manner.**

#### Comment

Pa.R.E. 803.1(2) has no exact counterpart in the Federal Rules of Evidence, or in prior Pennsylvania law.

A declarant's written, adopted or recorded statement made at or near the time of the reported acts, events, or conditions is a valuable source of evidence in determining the facts in issue. The hearsay dangers under this exception are minimal in that the declarant is subject to questioning under oath by the parties at trial. The requirement that the statement must be written, adopted in writing, or electronically recorded minimizes the danger that the statement will be inaccurately reported.

The rule recognizes the evidentiary value of a statement obtained while the facts are fresh in the mind of the declarant. The rule is not intended to encourage the creation of statements as a substitute or supplement for the declarant's testimony at trial. For these reasons, a statement prepared weeks or more after the reported acts, events, or conditions should not generally be treated as "made at or near the time of the reported acts, events, or conditions."

The requirement of timely disclosure is intended to operate in concert with the discovery provisions of Pa.R.Civ.P. 4003.4 and Pa.R.Crim.P. 573 to eliminate unfair surprise, and to permit investigation of the authenticity and accuracy of the statement.

[ (2) ] (3) *Statement of Identification.* A statement by a witness of identification of a person or thing, made after perceiving the person or thing, provided that the witness testifies to the making of the prior identification.

\* \* \* \* \*

[ (3) ] (4) *Recorded Recollection.* A memorandum or record concerning a matter about which a witness once had knowledge but now has insufficient recollection to enable the witness to testify fully and accurately, shown to have been made or adopted by the witness when the matter was fresh in the witness' memory, providing that the witness testifies that the record correctly reflects that knowledge. If admitted, the memorandum or record may be read into evidence and received as an exhibit, but may be shown to the jury only in exceptional circumstances or when offered by an adverse party.

\* \* \* \* \*

#### REPORT

#### *Proposed Amendment of Rule 803.1 and Revision of Comment Hearsay Exceptions; Testimony of Declarant Necessary*

#### Changes

The Committee on Rules of Evidence is planning to recommend that the Supreme Court of Pennsylvania approve the amendment of Rule 803.1 and Revision of Comment.

The Committee has considered different versions of this proposal over several meetings. Members of the committee have generally been favorable to the basic premise of the proposal, but some concerns have been voiced.

One concern has been that the rule will encourage the preparation of statements by the parties on the eve of trial that will be offered in evidence or read by the witness as a substitute or supplement for testimony presented in the traditional question and answer form. I have been persuaded that this is a valid concern, but I still think that a statement made at or near the time of the reported acts, events, or conditions is a valuable piece of evidence. Therefore, the proposed rule restricts the use of recorded statements to statements made at or near the time of the acts, events, or conditions. This language is derived from F.R.E. 803(6), Pa.R.E. 803(6) and the Uniform Business Records as Evidence Act 42 Pa.C.S. 6108.

Some members of the Committee have noted that statements like those covered by the proposed rule might be admissible under other rules, for example as a prior inconsistent statement—Pa.R.E. 803.1(1); recorded recollection—Pa.R.E. 803.1(3); for impeachment—Pa.R.E. 613(b); or for rehabilitation—Pa.R.E. 613(c). In fact, statements like those covered by the proposed rule might be admissible under these rules and others, but the proposed rule is intended to simplify the process for admission of a particularly valuable kind of evidence, that poses minimal hearsay risks. The trial court will not have to decide whether the statement is inconsistent, as required by 803.1(1), or whether the witness has insufficient recollection, as required by 803.1(3). The trial court will not be obligated to give limiting instructions, as required under 613(b) and (c).

The proposed rule may be of particular value in dealing with what appears to be a growing problem in criminal cases. A witness, often the victim, will give a statement to the police at the time of the incident, but because of intimidation the witness, at trial, will testify, "I don't remember." If there is a recorded statement conforming to the proposed rule, the statement will not be excluded by the hearsay rule and the impact of the intimidation will be reduced.

Prior to the recent case of *Crawford v. Washington*, 541 U.S. 36 (2004), there might have been some concern about whether the proposed rule complied with a criminal defendant's 6th amendment right to confront the witnesses against him. The Supreme Court has now eliminated that concern. It has said:

(W)hen the declarant appears for cross-examination at trial, the Confrontation Clause places no constraints at all on the use of his prior testimonial statements . . . . The Clause does not does not bar the admission of a statement so long as the declarant is present at trial to defend or explain it. *Crawford v. Washington*, at fn. 9.

[Pa.B. Doc. No. 07-198. Filed for public inspection February 9, 2007, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### ARMSTRONG COUNTY

Adoption of New Local Rules of Court—2002; No. 2002-0189-Misc.

#### Order

And Now, this 22nd day of January, 2007, it is hereby Ordered as follows:

1) The following new Local Rule of Juvenile Court Procedure is hereby adopted:

#### Rule 1167 Filing and Service of Court Orders and Notices.

All orders and court notices subject to the Rules of Juvenile Procedure—Dependency Matters—shall be served by Armstrong County Children, Youth and Family Services.

By the Court

JOSEPH A. NICKLEACH,  
President Judge

[Pa.B. Doc. No. 07-199. Filed for public inspection February 9, 2007, 9:00 a.m.]

### CARBON COUNTY

Revision of Local Rule of Orphans Court Procedure 14.2—Adjudication of Incapacity and Appointment of a Guardian of the Person and/or Estate of an Incapacitated Person; No. 07-9026

#### Administrative Order 7-2007

And Now, this 24th day of January, 2007, pursuant to 18 Pa.C.S.A. § 6111.1(f), it is hereby

Ordered and Decreed that effective March 1, 2006, the Carbon County Court of Common Pleas hereby Amends Local Rule of Orphans Court Procedure Carbon Co. O.C.R. No. 14.2 governing the Adjudication of Incapacity and Appointment of a Guardian of the Person and/or Estate of an Incapacitated Person.

The Carbon County District Court Administrator is Ordered and Directed to do the following:

1. File seven (7) certified copies of this Administrative Order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Pennsylvania Orphans Procedural Rules Committee.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.
6. Keep continuously available for public inspection a copy of the Order in the Register of Wills/Orphans Court Office.

By the Court

ROGER N. NANOVIC,  
President Judge

Rule 14.2. Adjudication of Incapacity and Appointment of a Guardian of the Person and/or Estate of an Incapacitated Person.

Concurrent to the filing of a petition to adjudicate an incapacity, the moving party/attorney shall complete the individual information on a Notification of Mental Health Commitment Form SP-4-131 and file it with the Orphan's Court Division.

[Pa.B. Doc. No. 07-200. Filed for public inspection February 9, 2007, 9:00 a.m.]

## LEHIGH COUNTY

**Amended Administrative Order for Adoption of Local Rule of Civil Procedure 205.2(a)(3) Pertaining to Social Security Numbers; No. 2007-J-23****Amended Order**

*And Now*, this 25th day of January, 2007, *It Is Ordered* that the following Lehigh County Rule of Civil Procedure 205.2(a)(3) for Filing of Legal Papers with the Clerk of Courts be, and the same is, promulgated herewith, to become effective thirty (30) days after the posting of the rule on the UJS Web Portal.

The Court Administrator of Lehigh County is directed to:

1. File seven (7) certified copies of this Order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one disk copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Pennsylvania Civil Procedural Rules Committee.
4. File one (1) copy with the Clerk of Courts of the Lehigh County Court of Common Pleas.
5. Forward one (1) copy for publication in the *Lehigh County Law Journal*.

*By the Court*

ALAN M. BLACK,  
*President Judge*

**Lehigh County Rule 205.2(a)(3)**

No document submitted for filing to the clerk of courts—civil shall disclose the social security number of any person, except as specifically authorized by court order.

[Pa.B. Doc. No. 07-201. Filed for public inspection February 9, 2007, 9:00 a.m.]

**WESTMORELAND COUNTY  
Adopting Rule WJUV 1330****Order**

*And Now*, this 20th day of December, 2006, *It Is Hereby Ordered* that Westmoreland County Rule of Juvenile Procedure WJUV 1330 is adopted effective on February 1, 2007.

*By the Court*

DANIEL J. ACKERMAN,  
*President Judge*

**Rule WJUV1330 Petition: Filing, Contents, Function, Aggravated Circumstances**

The Westmoreland County Juvenile Probation Office is the agency responsible for filing Petitions and otherwise

serving in the place of the county agency, for all dependency status offenses.

[Pa.B. Doc. No. 07-202. Filed for public inspection February 9, 2007, 9:00 a.m.]

**ADMINISTRATIVE  
OFFICE OF  
PENNSYLVANIA COURTS****Security Equipment Purchases and Upgrades for Pennsylvania's Courts of Common Pleas**

The Administrative Office of Pennsylvania Courts (AOPC) announces a project to support security equipment purchases and upgrades for Pennsylvania's courts of common pleas. Funding is available to reimburse counties for the purchase of magnetometers (multi-point), X-ray machines, card key access systems (non-RFID or biometric based technology) and wireless duress alarm systems. Purchases must follow county procurement code policies or procedures. Courts must notify the AOPC Office of Judicial Security by March 15, 2007 if they desire to participate in this project. The deadline for installation of all equipment is June 15, 2007.

The contact person for the AOPC is Kyle Ramberger, Judicial Security Specialist, Office of Judicial Security: (717) 795-2000, Ext. 4089, Kyle.Ramberger@pacourts.us, 5001 Louise Drive, Mechanicsburg, PA 17055.

ZYGMONT A. PINES,  
*Court Administrator of Pennsylvania*

[Pa.B. Doc. No. 07-203. Filed for public inspection February 9, 2007, 9:00 a.m.]

**DISCIPLINARY BOARD OF  
THE SUPREME COURT****Notice of Disbarment**

Notice is hereby given that Jaffa F. Stein having been disbarred by consent from the practice of law in the State of New Jersey by Order of the Supreme Court of New Jersey dated August 31, 2006, the Supreme Court of Pennsylvania issued an Order on January 26, 2007, disbaring Jaffa F. Stein from the Bar of this Commonwealth, effective February 25, 2007. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*

*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 07-204. Filed for public inspection February 9, 2007, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF AGRICULTURE

[7 PA. CODE CHS. 21, 23, 25 AND 27]

### Dog Law Proposed Regulations; Extended Public Comment Period

The Department of Agriculture (Department) published a notice of proposed rulemaking regarding proposed amendments to the Dog Law regulations at 36 Pa.B. 7596 (December 16, 2006). The public comment period established in the proposed rulemaking was 60 days. Therefore, the close of the public comment period for the proposed rulemaking would be February 14, 2007. However, under this notice the Department extends the original deadline by 30 days. The public comment period for this proposed rulemaking will therefore expire on March 16, 2007.

Further information is available by contacting Mary Y. Bender, Bureau of Dog Law Enforcement, (717) 787-4833.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 07-205. Filed for public inspection February 9, 2007, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

Notice is hereby given that the Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the "Banking Code of 1965;" the act of December 14, 1967 (P. L. 746, No. 345), known as the "Savings Association Code of 1967;" the act of May 15, 1933 (P. L. 565, No. 111), known as the "Department of Banking Code;" and the act of December 9, 2002 (P. L. 1572, No. 207), known as the "Credit Union Code," has taken the following action on applications received for the week ending January 30, 2007.

#### BANKING INSTITUTIONS

##### Interim Charter Application

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-30-07	Alliance Interim Savings Bank Broomall Delaware County	Broomall	Effective
	The Interim Bank is being formed for the sole purpose of merging with and into Greater Delaware Valley Savings Bank in conjunction with that institution's reorganization involving the creation of a mid-tier stock thrift holding company and conversion of its existing mutual holding company to a Federal charter (see below).		
1-30-07	Sussex Interim Bank Westfall Township Pike County	Westfall Township, PA	Approved
	Interim bank to be chartered solely to facilitate the ability of Sussex Bank, Franklin, NJ, a NJ State-chartered bank, to establish a branch office in PA (see below).		

##### Mutual Holding Company Reorganization

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-30-07	Greater Delaware Valley Savings Bank, d/b/a Alliance Bank Broomall Delaware County	Broomall	Effective
	Alliance Interim Savings Bank (see above) was merged with and into Greater Delaware Valley Savings Bank, to effect the creation of the mid-tier stock thrift holding company, Alliance Bancorp, Inc., Broomall, which will be majority-owned by Greater Delaware Valley Holdings, a Mutual Company, Broomall, which will simultaneously change its name to Alliance Mutual Holding Company and also convert to a Federal mutual thrift holding company.		

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
1-29-07	EHPW Acquisition Company, Harrisburg, to acquire 100% of the Common Stock of Vartan Financial Corporation, and thereby Indirectly Acquire Vartan National Bank, Harrisburg, under section 115 of the Banking Code	Harrisburg	Approved
1-30-07	Sussex Bancorp, Franklin, NJ, to acquire 100% of Sussex Interim Bank, Westfall Township, PA, which will then be merged with and into Sussex Bank, Franklin, NJ, the wholly-owned subsidiary of Sussex Bankcorp, under section 115 of the Banking Code	Franklin, NJ	Approved
1-30-07	GSB Acquisition Corp., Bala Cynwyd, to acquire 100% of the voting shares of Guard Security Bank, Plains, a Federal Stock Savings Bank, under section 115 of the Banking Code	Bala Cynwyd	Approved

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-29-07	Centra Bank, Inc., Morgantown, WV, and Centra Bank-Smithfield, PA Surviving Institution— Centra Bank, Inc., Morgantown, WV	Morgantown, WV	Effective

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-25-07	Irwin Bank and Trust Company Irwin Westmoreland County	Huntingdon Marketplace Highway 30 and I-76 Irwin Westmoreland County	Filed

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-8-07	First Commonwealth Bank Indiana Indiana County	<i>To:</i> Wagner Road and Center Commons Blvd. Monaca Beaver County  <i>From:</i> 693 Beaver Valley Mall Monaca Beaver County	Effective

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

VICTORIA A. REIDER,  
*Acting Secretary*

[Pa.B. Doc. No. 07-206. Filed for public inspection February 9, 2007, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION****Applications, Actions and Special Notices****APPLICATIONS**

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

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

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

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

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

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

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

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

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

#### **I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0062791	Just Born, Inc. 1300 Stefko Boulevard Bethlehem, PA 18017-6672	Bethlehem City Northampton County	Lehigh River CWF 2C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0043486 (IW)	Lancaster County Solid Waste Management Authority 1299 Harrisburg Pike P. O. Box 4425 Lancaster, PA 17604-4425	Lancaster County Manor Township	Manns Run 7-J	Y
PA0081418 (IW)	Rutter's Dairy, Inc. 2100 N. George St. York, PA 17404	York County Manchester Township	UNT Codorus Creek 7-H	Y
PA0035092 (IW)	Tyson Foods, Inc. 403 S. Custer Avenue New Holland, PA 17557-0901	Lancaster County East Earl Township and New Holland Borough	Mill Creek 7-J	Y
PA0083062 (SEW)	Williams Valley School District 10330 SR 209 Tower City, PA 17980-9611	Dauphin County Williams Township	Wiconisco Creek 6-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0209074	Hidden Valley Mobile Home Park 97 Sandra Lee Drive Linden, PA 17744	Lycoming County Woodward Township	UNT to Quenshukeny Run SWP 10A	Y



<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PAS604803	Patrick R. Burns 278 Lower Coleville Road Bellefonte, PA 16823	Centre County Benner Township	Storm Drain to Buffalo Run 9C	Y

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

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

**PA0056413. Lower Salford Township Mainland Sewage Treatment Plant.** The Department of Environmental Protection is withdrawing the Intent to Issue Notice published at 36 Pa.B. 7470 (December 9, 2006).

**PA0045021, Industrial Waste, SIC 3479, Material Sciences Corporation,** 120 Enterprise Avenue, Morrisville, PA 19037-3797. This proposed facility is located in Falls Township, **Bucks County**.

Description of Proposed Activity: Material Sciences Corporation conducts coil coating operations to steel, galvanized and metal coils. From the coating and rinsing operation wastewater is generated and afforded treatment prior to discharge.

The receiving stream, Biles Creeks, is in the State Water Plan Watershed 2E and is classified for WWF and migratory fishes. The nearest downstream public water supply intake for Bristol Borough Water Treatment plant is located on Delaware River and is 17.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0334 mgd.

<i>Parameters</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)			
CBOD <sub>5</sub>	25	40	
Total Suspended Solids	30	60	
Total Dissolved Solids	2,500	5,000	
Oil and Grease	15		
Chromium			
Total	0.21	0.52	
Hex	002	0.04	
Zinc, Total	0.71	0.96	
Temperature			110°F
pH		Between units of 6 to 9 (Std)	
Cyanide			
Total	0.14	0.36	
Free	0.012	0.024	
Iron			
Total	0.71	0.75	
Dissolved	0.72	1.43	
Aluminum, Total	0.17	0.40	
Cooper, Total	0.61	1.11	
Residual Chlorine, Total	0.5		1.2

In addition to the effluent limits, the permit contains the following major Other Requirements:

1. Abandon IWWTP.
2. Public Nuisance.
3. Small Stream Discharge.
4. Applicable BAT/BCT.
5. Approved Chemical Additives.
6. Requirements to Submit Chemical Additives Information.
7. Approved Test Methods.
8. Change in Ownership.
9. Proper Sludge Disposal.
10. Watershed TMDL/WLA.
11. Inst. Max Limitation.
12. Stormwater Requirements.

**PA0052647, Industrial Waste, Borough of Pottstown Water Authority,** SIC 4941, 100 East High Street, Pottstown, West Pottsgrove Township, **Montgomery County**, PA 19464. Borough of Pottstown Water Treatment Plant is located at 668 Old Reading Road, Stowe, PA 19464.

Description of Activity: This application is for an NPDES permit to discharge industrial wastewater from filter backwash and sedimentation basin cleaning operations.

The receiving river, Schuylkill River, is in the State Water Plan Watershed 3E-Perkiomen and is classified for WWF, migratory fishes, aquatic life, water supply and recreation. The nearest downstream potable water supply is Phoenixville and is approximately 8 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a monthly average discharge rate of 0.22 mgd:

<i>Parameters</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 (mg/l)</i>
Total Suspended Solids			30	60	75
Iron, Total			2.0	4.0	5.0
Aluminum, Total			4.0	8.0	10.0
Manganese, Total			1.0	2.0	2.5
pH (Std Units)			6.0 (Minimum)		9.0
Total Residual Chlorine			0.5	1.0	1.2

The proposed effluent limits for Outfall 002 are based on a monthly average discharge rate of 0.0098 mgd:

<i>Parameters</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 (mg/l)</i>
pH (Std Units)			6.0 (Minimum)		
Total Residual Chlorine			0.40		0.94

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

1. Solids Disposal According to Applicable Regulations.
2. Sedimentation Basin Cleaning Requirements.

**PA0026018**, Sewage, **West Chester Borough**, 401 East Gay Street, West Chester, PA 19380. This existing facility is located in East Bradford Township, **Chester County**.

Description of Proposed Activity: This application is for the renewal of an NPDES permit for an existing discharge of treated sewage from the West Chester Taylor Run sewage treatment plant.

The receiving stream, Taylor Run, is in the State Water Plan Watershed 3H and is classified for trout stocking, migratory fish, aquatic life, water supply, recreation and fishing. Taylor Run is a tributary to East Branch Brandywine Creek, which flows into Brandywine Creek. There are no public water supply intakes identified downstream in this Commonwealth. The State Line is approximately 14 river miles downstream of the discharge. A Wilmington, DE, water supply intake is located on Brandywine Creek approximately 7.5 river miles downstream of the State Line.

The proposed sewage effluent limits for Outfall 001 are based on a design flow of 1.5 mgd and are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	313	475	25	40	50
Total Suspended Solids	188	282	15	23	30
Ammonia as N					
(5-1 to 10-30)	31		2.5		5.0
(11-1 to 4-30)	94		7.5		15.0
Phosphorus as P					
(4-1 to 10-31)	12.5		1.0		2.0
(11-1 to 3-31)	25		2.0		4.0
Fecal Coliform			200/100 ml (Geo Mean)		1,000/100 ml
Dissolved Oxygen			5.0 (min.)		
pH (Std Units)			6.0 (min.)		9.0
Total Residual Chlorine			0.05		0.15
Total Nitrogen	Monitor and Report		Monitor and Report		

The proposed effluent limits for stormwater Outfalls 002—004 are based on an average rainfall event and are as follows:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>				Monitor and Report
COD				Monitor and Report
Oil and Grease				Monitor and Report
pH (Std Units)				Monitor and Report
Total Suspended Solids				Monitor and Report
Total Kjeldahl Nitrogen				Monitor and Report
Phosphorus (as P)				Monitor and Report
Iron (Dissolved)				Monitor and Report

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

1. Notification of Designation of Operator.
2. Average Weekly Reporting.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Discharge to Small Stream.
7. Change of Ownership.
8. Total Residual Chlorine Requirement.
9. Sludge Disposal Requirement.
10. Chronic WET Testing.
11. Exemption from Pretreatment Program.
12. Imax Requirements.
13. 2/Month Monitoring Requirements.
14. Requirements Applicable to Stormwater Outfalls.
15. Certified Operator.

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

**PA0065102**, Sewage, **Daniel Bittenbender**, R. R. 5, Box 5647, Saylorsville, PA 18353. This proposed facility is located in Hamilton Township, **Monroe County**.

Description of Proposed Activity: Application for NPDES permit to discharge treated sewage from a single-family residence.

The receiving stream, UNT to Lake Creek, is in the State Water Plan Watershed 1E and is classified for HQ-CWF. The nearest downstream public water supply intake for the City of Easton is located on the Delaware River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0007 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	10	20
Total Suspended Solids	10	20
Fecal Coliform	200/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times.	

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

1. Since the proposed treatment system uses ultraviolet disinfection, no monitoring is required for Total Residual Chlorine.

**PA-0065145**, Sewage, **Dunn Lake, LLC**, 103 Indian Springs Road, Kennett Square, PA 19348. This proposed facility is located in Ararat Township, **Susquehanna County**.

Description of Proposed Activity: NPDES Permit for a new, treated sewage discharge.

The receiving stream, East Branch Lackawanna River, is in the State Water Plan Watershed 5A and is classified for HQ-CWF. The nearest downstream public water supply intake for the Pennsylvania American Water Company is located at the Stillwater Reservoir on the Lackawanna River over 10 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.019 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Annual Average (lbs./Year)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	5.0		10.0
Total Suspended Solids	3.0		6.0
NH <sub>3</sub> -N	3.0		6.0
Total Nitrogen	5.0, Offset by Credits		10.0
Total Phosphorus	0.10, Offset by Credits		0.20
Dissolved Oxygen	A minimum of 6.0 mg/l at all times.		
Fecal Coliform	200/100 ml as a geometric mean		
(5-1 to 9-30)	2,000/100 ml as a geometric mean		
(10-1 to 4-30)	6.0 to 9.0 standard units at all times.		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	Nondetectable		
Kjeldahl-N	Report		
NO <sub>2</sub> -NO <sub>3</sub> as "N"	Report		
Total Net Nitrogen		0	
Total Net Phosphorus		0	

The permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the nitrogen and phosphorus effluent limits, under the Department's Trading of Nutrient and Sediment Reduction Credits Policy and Guidelines (392-0900-001, December 30, 2006). The conditions include the requirement to report any such credits in monthly supplemental DMRs submitted to the Department.

**PA-0028568**, Sewage, **Bangor Borough Authority**, 54 Market Street, P. O. Box 51, Bangor, PA 18013. This proposed facility is located in Washington Township, **Northampton County**.

Description of Proposed Activity: Renewal of NPDES Permit.

The receiving stream, Martin's Creek, is in the State Water Plan Watershed 01F and is classified for: Aquatic Life: TSF, migratory fishes, water supply and recreation. The nearest downstream public water supply intake for the City of Easton is located on Delaware River is approximately 25 miles below the point of discharge. The proposed effluent limits for Outfall 001 based on a design flow of 1.6 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.4		4.8
(11-1 to 4-30)	7.2		14.4
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.18		0.42

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

1. Special Condition for Whole Effluent Toxicity Testing.

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

**Application No. PA 0260100**, Sewage, **James Lyons**, 9 Mathias Road, Littlestown, PA 17340. This facility is located in Germany Township, **Adams County**.

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

The receiving stream, a UNT to Piney Creek, is in Watershed 13-D and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for City of Frederick Maryland is located on the Monocacy River, approximately 41 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N	Monitor and Report		Monitor and Report
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform	200/100 ml as a geometric average		

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

The EPA waiver is in effect.

**Application No. PA 0088633**, Sewage, **Lower Paxton Township Authority**, (Beaver Creek Wet Weather WWTF), 425 Prince Street, Harrisburg, PA 17109. This facility is located in South Hanover Township, **Dauphin County**.

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

The receiving stream, Beaver Creek, is in Watershed 7-D, and classified for WWFs, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Middletown Borough is located on the Swatara Creek, approximately 10 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.5 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	15	24	30
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.0		9.0
(11-1 to 4-30)	9.0		18
Total Phosphorus	2.0		4.0
Total Phosphorus		6,088 lbs per year annual	
Total Nitrogen		45,662 lbs per year annual	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
TKN		Monitor	
NO <sub>2</sub> + NO <sub>3</sub> -N		Monitor	
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)		2,000/100 ml as a geometric average	

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732. The EPA waiver is not in effect.

**Application No. PA 0084565**, Sewage, **East Prospect Borough Authority**, P. O. Box 334, East Prospect, PA 17317. This facility is located in Lower Windsor Township, **York County**.

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

The receiving stream, a UNT of Cabin Creek, is in Watershed 7-I, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Red Lion Municipal Authority is located on a UNT Cabin Creek, approximately 7.2 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 0.0875 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	15	22	30
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.5		7.0
(11-1 to 4-30)	10.5		21
Total Phosphorus		Monitor lbs per year annual	
Total Nitrogen		Monitor lbs per year annual	
TKN		Monitor	
NO <sub>2</sub> + NO <sub>3</sub> -N		Monitor	
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)		2,000/100 ml as a geometric average	

The proposed Final effluent limits for Outfall 001 for a design flow of 0.175 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	15	22	30
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	1.68		3.36
(11-1 to 4-30)	5.04		10.08
Total Phosphorus	2.0		4.0
Total Phosphorus		974 lbs per year annual	
Total Nitrogen		5,859 lbs per year annual	
TKN		Monitor	
NO <sub>2</sub> + NO <sub>3</sub> -N		Monitor	
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)		2,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

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

**PA0026506**, Sewage, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122. This application is for renewal of an NPDES permit to discharge treated sewage from Thompson Run STP in West Mifflin Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Thompson 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 PA American Water Company-Becks Run Station.

*Outfall 001:* existing discharge, design flow of 4.0 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	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)	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 1st month—36th month	Monitor and Report			
Total Residual Chlorine	.01			.03
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

*Other Conditions:* Outfalls 002—004 are being permitted to discharge uncontaminated stormwater from the STP site. The EPA waiver is not in effect.

**PA0217654, Sewage, Seward/St. Clair Township Sanitary Authority**, P. O. Box 494, Seward, PA 15954. This application is for renewal of an NPDES permit to discharge treated sewage from Sugar Run Sewage Treatment Plant in St. Clair Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Conemaugh 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 Saltsburg Municipal Waterworks.

*Outfall 001:* existing discharge, design flow of 0.361 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	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)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.6
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0253332, Sewage, Etna Borough**, 437 Butler Street, Etna, PA 15223. This application is for issuance of an NPDES permit to discharge combined sewage from combined sewer outfalls in the Borough of Etna, **Allegheny County**.

*Outfalls:*

A-68      CSO(8)      CSO(1)      CSO(1A)      CSO(2)      CSO(3)      CSO(4)      CSO(5)      CSO(7)

which discharge to the receiving waters known as Allegheny River, Pine Creek and serve as combined sewer overflows necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow.

*Other Conditions:* The Borough of Etna is required to implement the nine minimum technology based controls on a system wide basis and develop a long-term control plan.

The EPA waiver is in effect.

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

**PA0033901, Sewage, Willow Bend MHP**, 2935 Valley Road, Mercer, PA 16137. This proposed facility is located in Lackawannock Township, **Mercer County**.

Description of Proposed Activity: New/transfer permit for an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Beaver Falls Municipal Authority-Eastvale intake located on the Beaver River and is approximately 38 miles below point of discharge.

The receiving stream, the UNT to Little Neshannock Creek, is in Watershed 20-A and classified for TSF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0075 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX		
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N			
(5-1 to 10-31)	6		12
(11-1 to 4-30)	18		36
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4		3.3
Dissolved Oxygen		minimum of 3 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

**PA0221589**, Industrial Waste. **Cardinal American Corp—Tel O Post**, 205 North Pymatuning Street, Linesville, PA 16424. This existing facility is located in Linesville Borough, **Crawford County**.

Description of Proposed Activity: a new NPDES permit for an existing discharge of treated contaminated groundwater and uncontaminated stormwater.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Shenango River and Greenville Water Company located approximately 18 miles below point of discharge.

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

The proposed effluent limits for Outfall 001 based on a design flow of 0.0144 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX				
Oil and Grease			15		30
Trichlorethylene			0.012		0.03
Cis-1,2 dichloroethylene			0.001		0.0025
pH			6.0 to 9.0 standard units at all times		

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

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
This outfall shall be composed entirely of nonpolluting stormwater runoff in accordance with Special Condition Number 1.					

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

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
This outfall shall be composed entirely of nonpolluting stormwater runoff in accordance with Special Condition Number 1.					

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

**PA0104035**, Sewage. **Daily Bread Café**, 59 Sartwell Creek, Port Allegany, PA 16743. This proposed facility is located at 2906 Route 155, Port Allegany in Port Allegany Borough, **McKean County**.

Description of Proposed Activity: Issuance of a new NPDES permit for an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the NY/PA State border is located on the Allegheny River and is approximately 15 miles below point of discharge.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.002 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX		
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5		1.2
pH		6.0 to 9.0 standard units at all times	
XX—Monitor and report on monthly DMRs.			

The EPA waiver is in effect.

**PA0221627**, Sewage. **Tri-Lane Estates Mobile Home Park**, 4004 Wynwood Drive, Sharpsville, PA 16150-9024. This proposed facility is located in Lackawannock Township, **Mercer County**.

Description of Proposed Activity: A new permit to replace an expired permit for an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Public Water Supplier is located on the Beaver River (Beaver Falls Municipal Authority) and is approximately 38 miles below point of discharge.

The receiving stream, the UNT to Little Neshannock Creek, is in Watershed 20-A and classified for TSF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.003 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N (5-1 to 10-31) (11-1 to 4-30)	1.5 4.5		3.0 9.0
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	0.38		0.89
Dissolved Oxygen		minimum of 5.0 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	
XX—Monitor and report on monthly DMRs.			

The EPA waiver is in effect.

**PAPA0033448**, Sewage. **Pennwood Estates LLC**, Pennwood Estates MHP, 1826 South Main Street, Akron, OH 44301. This proposed facility is located in Lackawannock Township, **Mercer County**.

Description of Proposed Activity: This is a new permit replacing an expired permit for an existing minor treated sewage discharge.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Beaver Falls Municipal Authority is located on the Beaver River and is approximately 35 miles below point of discharge.

The receiving stream, the west Branch Little Neshannock Creek, is in Watershed 20-A and classified for TSF, aquatic life, water supply and recreation.



The proposed effluent limits for Outfall 001 are based on a design flow of 0.009 mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX		
CBOD <sub>5</sub>	25		30
Total Suspended Solids	30		60
NH <sub>3</sub> -N			
(5-1 to 10-31)	4.5		9.0
(11-1 to 4-30)	13.0		26.0
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
Total Residual Chlorine	0.85		2.0
pH		6.0 to 9.0 standard units at all times	
XX—Monitor and report on monthly DMRs.			

The EPA waiver is in effect.

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

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

**WQM Permit No. 4007402**, Sewerage, **Plymouth Township**, 925 West Main Street, Plymouth, PA 18651. This proposed facility is located in Plymouth Township, **Luzerne County**, PA.

Description of Proposed Action/Activity: This project is for the construction of a sewage collection and conveyance system to various areas in Plymouth Township. The project is to include gravity sewers, force main, laterals, pump stations and manholes.

**WQM Permit No. 4007401**, Sewerage, **Butler Township Wastewater Department**, 415 West Butler Drive, Drums, PA 18222. This proposed facility is located in Butler Township, **Luzerne County**, PA.

Description of Proposed Action/Activity: This project is for the upgrade and expansion of the Township's St. Johns Wastewater Treatment Facility from a capacity of 0.6 mgd to 2.2 mgd, conversion of the Drums facility into a pumping station, installation of a new force main and gravity sewer between Drums pumping station and the St. Johns treatment plant and construction of sewer extension to the Drasher Road and Hashagen Estate areas of the Township.

**WQM Permit No. 4806407**, Sewerage, **SPG, Inc.**, Whispering Hollow North Mobile Home Park, 139 Country Club Road, Northampton, PA 18067-9802. This proposed facility is located in Moore Township, **Northampton County**, PA.

Description of Proposed Action/Activity: This project is for modifications to the existing sewage treatment facilities at Whispering Hollow North Mobile Home Park.

**WQM Permit No. 4806408**, Sewerage, **SPG, Inc.**, Whispering Hollow South Mobile Home Park, 139 Country Club Road, Northampton, PA 18067-9802. This proposed facility is located in Allen Township, **Northampton County**, PA.

Description of Proposed Action/Activity: This project is for modifications to the existing sewage treatment facilities at Whispering Hollow South Mobile Home Park.

**WQM Permit No. 4806406**, Sewerage, **Borough of Portland**, P. O. Box 476, 1 Division Street, Portland, PA 18351. This proposed facility is located in Portland Borough, **Northampton County**, PA.

Description of Proposed Action/Activity: This project involves construction of a 0.105 mgd wastewater treatment plant.

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

**WQM Permit No. 2807402**, Sewerage, **David Flaud**, 15853 Burnt Mill Road, Newburg, PA 17240. This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking authorization to construct a small flow treatment facility for a single-family residence.

**WQM Permit No. 0607201**, CAFO, **Joe Jurgielewicz & Son, Ltd.**, P. O. Box 257, Shartlesville, PA 19554. This proposed facility is located in Tilden Township, **Berks County**.

Description of Proposed Action/Activity: Application seeking approval to construct a manure storage facilities for a duck farm.

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

**WQM Permit No. 0271412-A4**, Sewerage, **Leetsdale Borough Municipal Authority**, 5 Sixth Street, Leetsdale, PA 15056. This existing facility is located in Edgeworth and Leetsdale Boroughs, **Allegheny County**.

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

The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania'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. WQG016138**, Sewerage, **Doreen Tumminello**, 2854 Anderson Road, Allison Park, PA 15101. This proposed facility is located in Indiana Township, **Allegheny County**.

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

**WQM Permit No. 0407401**, Sewerage, **Wesley Glass**, 256 Park Lane, Darlington, PA 16115. This proposed facility is located in Big Beaver Borough, **Beaver County**.

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

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

**WQM Permit No. 2507401**, Sewerage, **McKean Township Sewer Authority**, 9231 Edinboro Road, McKean, PA 16426. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction of a pump station and conveyance facilities to serve the Georgetown Heights residential subdivision and will be conveyed to the McKean Township sewage treatment plant on West Road.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011507004	Hettie J. Herzog 1057 St. Matthews Road Chester Springs, PA 19425-3101	Chester	West Vincent Township	Pickering Creek HQ

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907001	Michael Bremer Muhlenberg College 2400 Chew Street Allentown, PA 18104	Lehigh	City of Allentown	Little Cedar Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032806006	Divinity Investments, LLC P. O. Box 1180 Chambersburg, PA 17201	Franklin	Antrim Township	UNT to Muddy Run HQ-CWF
PAI033607001	E. Nelson Martin 416 Linden Street Terre Hill, PA 17581	Lancaster	Terre Hill Borough and East Earl Township	UNT to Black Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI063307001	SR 28 Section 510 Game School Road 3R Department of Transportation 2550 Oakland Avenue Indiana, PA 15701-0429	Jefferson	Warsaw and Snyder Township	Mill Creek CWF Beaver Meadow Run EV

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


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PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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### PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

#### SAFE DRINKING WATER

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

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

<b>Permit No. 2206507</b> , Public Water Supply.	
Applicant	<b>Lower Dauphin School District</b>
Municipality	Londonderry Township
County	<b>Dauphin</b>
Responsible Official	Jay Martin, Mechanical Designer 4391 Chambers Hill Road Harrisburg, PA 17111
Type of Facility	Public Water Supply
Consulting Engineer	William Sponaugle, P. E. GR Sponaugle and Sons 4391 Chambers Hill Road Harrisburg, PA 17111

Application Received:	12/15/2006
Description of Action	Installation of a nitrate treatment system.

<b>Permit No. 3807501</b> , Public Water Supply.	
Applicant	<b>Twin Maples MHP</b>
Municipality	Jackson Township
County	<b>Lebanon</b>
Responsible Official	Paul A. Weber, Partner 925 Noble Street Lebanon, PA 17042
Type of Facility	Public Water Supply
Consulting Engineer	David J. Gettle Kohl Bros., Inc. P. O. Box 350 Myerstown, PA 17067

Application Received:	1/16/2007
Description of Action	Construction of a new replacement storage tank and a high service pump station.

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

<b>Permit No. 6307501</b> , Public Water Supply.	
Applicant	<b>Four Seasons Resort, Inc.</b> 3 Camp Resort Road, Unit 3 West Finley, PA 15377
Township or Borough	West Finley
Responsible Official	Steve Presto, Vice President-General Manager
Type of Facility	Water system
Consulting Engineer	SNC Lavalin America, Inc. 6585 Penn Avenue, Pittsburgh, PA 15206

Application Received Date	January 16, 2007
Description of Action	Innovative Technology—Pilot Study. Use of onsite private reservoir with iron and manganese removal, sand filtration, organic removal, chlorination, cartridge filtration and chlorination maintenance.

### 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:

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

**Thomas Kellogg Property**, Lower Macungie Township, **Lehigh County**. Mark Zunich, GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543 has submitted a Notice of Intent to Remediate (on behalf of his client, Thomas Kellogg, 1190 Dorney Road, Breinigsville, PA 18031) concerning the remediation of soils impacted by No. 2 home heating oil as a result of an accidental release. The applicant proposes to meet the Statewide Health Standard. The future use of the property will remain residential. A summary of the Notice of Intent to

Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

**Former Brownstown Restaurant**, West Earl Township, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543, on behalf of Ernie Capezzi, 23 Warwick Road, Lititz, PA 17543-8580, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil from a removed leaking underground storage tank. The property was formerly a restaurant and residential/commercial use is planned for the future. The applicant is seeking to remediate to the Residential Statewide Health Standard.

**Former Sell's Garage**, Arendtsville Borough, **Adams County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Arendtsville Borough, P. O. Box 508, Arendtsville, PA 17303-0508, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with petroleum hydrocarbons. The property was formerly an automobile and truck repair garage. The proposed future use of the site is open space and a community park. The applicant is seeking to remediate to a special industrial area standard.

**CNH America, LLC**, New Holland Borough, **Lancaster County**. RMT, Inc., 527 Plymouth Road, Plymouth Meeting, PA 19462, on behalf of CNH America, LLC, 700 State Street, Racine, WI 53404, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents. The property is and will remain an industrial manufacturing site. The applicant is seeking to remediate to the Site-Specific Standard.

**Columbia Gas of Pennsylvania Service Center**, Gettysburg Borough, **Adams County**. The RETEC Group, Inc., 300 Baker Avenue, Concord, MA 01742-2131, on behalf of Columbia Gas of Pennsylvania, 1020 North Harley Street, York, PA 17404 and NiSource Corporate Services Company, 300 Frieberg Parkway, Westborough, MA 01581-3900, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PAHs. The property was formerly a manufactured gas facility and future use is for a homeless shelter. The applicant is seeking to remediate to the Site-Specific Standard.

**Former Columbia Petroleum Corporation Facility**, West Manchester Township, **York County**. Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518, on behalf of Richland Partners, LLC d/b/a/ Leffler Energy, P. O. Box 659, Douglassville, PA 19518-0659, submitted a Notice of Intent to Remediate groundwater contaminated with leaded gasoline. The property was used for storage and distribution of petroleum products and will be used commercially in the future. The applicant is seeking to remediate to the Nonresidential Statewide Health Standard.

**Former Schmidt & Ault/Regis Paper Company**, York City and Spring Garden Township, **York County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Tyler Run, LLC, 427 Kings Mill Road, York, PA 17403-3573, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with benzene, chlorinated solvents and PCBs. The property was a former cardboard box manufacturing site and also used to wholesale/retail petroleum fuels, and is being considered for mixed commercial and

residential use in the future. The applicant is seeking to remediate to both the Site-Specific and Statewide Health Standards.

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

**Butter Krust Baking Co.**, Upper Augusta Township, **Northumberland County**, Chambers Environmental Group, 629 East Rolling Ridge Drive, Bellefonte, PA 16823 on behalf of Butter Krust Baking Co., Inc., 249 N. 11th Street, Sunbury, PA 17801 has submitted a Notice of Intent to Remediate soil contaminated with leaded and unleaded gasoline. The applicant proposes to remediate the site to meet the Statewide Health Standard. The property will continue to be Butter Krust Baking Company facility.

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

**FENESTRA MFG—PF No. 625602**, Remediation ID No. 36264, Millcreek Township, **Erie County**, Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of The Marmon Group, 225 West Washington Street, Chicago, IL 60606-3418 and Erie International Airport, West 12th Street, Erie, PA 16501 has submitted a Notice of Intent to Remediate. Remediation of groundwater to the Site Specific Standard due to contamination of chlorinated solvent trichloroethene from past operation of a manufacturing facility that operated at the site from 1960-1995. Future use of the site is nonresidential.

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

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

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

**Permit Application No. 101685. Resource Recovery LLC**, Peale and Gorton Roads, Moshannon, PA 16859, located in Rush Township, **Centre County**. The permit application for a municipal waste landfill known as the Resource Recovery Landfill was deemed administratively complete by the Williamsport Office on October 2, 2006. This notice corrects the notice published on October 21, 2006. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

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

### **AIR QUALITY**

#### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

##### **NEW SOURCES AND MODIFICATIONS**

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State

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

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

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

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

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

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

#### **PLAN APPROVALS**

**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, Mark Wejkszner, New Source Review Chief, (570) 826-2531.*

**48-323-011: Victaulic Co.** (P. O. Box 31, Easton, PA 18044) for construction of a burn-off oven and associated air cleaning device at their Forks Facility at 4901 Kesslersville Road, Forks Township, **Northampton County**.

**48-313-102: Praxair Distribution, Inc.** (145 Shimersville Road, Bethlehem, PA 18015) for reactivation of an acid gas scrubbing system at their facility in Bethlehem, **Northampton County**.

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

**07-03049B: A.P. Green Refractories, Inc.** (R. D. No. 1, Box 588D, Claysburg, PA 16625) for replacement of an existing dust collector (CD19) on the No. 2 Castable Line at the facility in Greenfield Township, **Blair County**.

**36-05093C: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506) for installation of a replacement recycled asphalt paving system at the company's Denver asphalt plant in East Cocalico Township, **Lancaster County**.

**36-05127B: Martin Limestone, Inc.** (404 Martindale Road, Ephrata, PA 17522) for addition of equipment to process recycled asphalt pavement at their Burkholder Asphalt Plant in Earl Township, **Lancaster County**. This project is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

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

**56-00025G: New Enterprise Stone and Lime** (P. O. Box 77, New Enterprise, PA 16664) for installation of crusher at Bakersville Quarry/Hot Mix Asphalt Plant in Jefferson Township, **Somerset County**.

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

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

**09-0007C: Waste Management Disposal Services of Pennsylvania, Inc.—G.R.O.W.S. Landfill** (1121 Bordentown Road, Morrisville, PA 19067) for construction of an expansion, known as 'GROWS North' and installation of two backup enclosed flares in Falls Township, **Bucks County**. The approval will allow the owner/operator to direct landfill gas generated at the GROWS North Expansion to a treatment system and then sent to Exelon Generation Company's Fairless Hills Steam Generating Station. Each backup enclosed flare shall be designed for a maximum of 5,000 standard cubic feet per minute (SCFM) flow rate at 50% methane. Each flare shall have a minimum destruction and removal efficiency for NMOC of 98% (by weight) or the NMOC concentration in the exhaust gas shall be less than 20 ppmv (dry basis as hexane at 3%), whichever is less stringent. The facility is a major facility for VOC. The landfill is subject to 40 CFR Part 60 Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills, and 40 CFR Part 63 Subpart AAAA, National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.

Under this approval, fugitive emissions of VOC from the GROWS North Expansion shall not exceed 20.62 tons/year (on a 12-month rolling basis), calculated after they are closed in accordance with 40 CFR 60.751. The facility shall not exceed a maximum of 100 tpy of PM emissions (on a 12-month rolling basis). The facility shall have a maximum of 13.80 tons of NO<sub>x</sub> emissions from the two enclosed flares. The owner/operator will comply with the monitoring, recordkeeping, reporting and work prac-

tice standards to keep the facility operating within all applicable air quality requirements.

**09-0193: Basic Chemical Solutions, LLC** (5 Steel Road East, Morrisville, PA 19067) for installation of nine Above Ground Acid Storage Tanks with the Associated Air Pollution Control Devices (storage tanks) at the Basic Chemical Solutions, LLC, chemicals manufacturing new facility located at 5 Steel Road East, Falls Township, **Bucks County**. The installation of storage tanks may result in the emissions of: 5.63 tpy of HAPs. 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.

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

**48-303-057: Pikes Creek Asphalt—Division of Reading Materials, Inc.** (P. O. Box 1467, 2052 Lucon Road, Skippack, PA 19474) for modification of a batch asphalt plant to increase the amount of recycled asphalt pavement in the mixture, and to install a new air cleaning device (baghouse) at their Pikes Creek Asphalt Plant, at R. R. No. 2 and Trojan Road, Lehman Township, **Luzerne County**. Particulate emissions from the plant will be controlled by the installation of a new air-cleaning device. Expected particulate emission rate will be less than 0.02 grain/dscf. The company will operate the facility and maintain the equipment in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval will be incorporated into the company's State-only Operating Permit No. 40-00048 when operational. The operating permit will contain recordkeeping and operating restrictions that are 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.*

**06-05066E: Exide Technologies** (P. O. Box 13995, Reading, PA 19612-3995) for modification of the secondary lead smelting system controlled by two sets of cooling tubes, two fabric collectors, two venturi scrubbers and two spray chambers in the Laureldale Borough and Muhlenberg Township, **Berks County**. The modification will limit the emissions of SO<sub>2</sub> from the smelter system to a 12-month rolling average of 86 ppmv and a rolling 12-month total of 240 tons. These limits will exempt the facility from 40 CFR Part 51, Regional Haze Regulations and Best Available Retrofit Technology. The plan approval will include monitoring, work practices, recordkeeping and reporting requirements to keep the source operating within the applicable requirements. The facility is presently covered by the Title V Operating Permit 06-05066. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

**36-03135D: Shared Mail Acquisitions, LLC** (72 Industrial Circle, Leola, PA 17540-0129) for construction of a heatset printing press at their facility in Upper Leacock Township, **Lancaster County**. This printing facility is a non-Title V (State-only) facility. The addition of this new printing press will result in less than 5 tpy of VOC and less than 1 tpy of HAP emissions after control by the existing thermal oxidizer. Conditions for monitoring, recordkeeping and work practice standards are included to keep the facility operating within the applicable requirements.

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

**17-00017A: Rescar, Inc.** (450 Osborne Street, Dubois, PA 15801) for installation of an air cleaning device, a cartridge collector, on a railcar abrasive blasting operation in the City of Dubois, **Clearfield County**.

The facility in which the railcar abrasive blasting operation is located is not a major (Title V) facility for any air contaminant.

The railcar abrasive blasting operation consists of two work stations in which railcar interiors and exteriors are cleaned of old paint, rust, content residue and the like by abrasive blasting. The proposed cartridge collector will be used to control the PM emissions including PM10 from the abrasive blasting operation and will replace the fabric collector currently used for that purpose.

Following the installation of the proposed cartridge collector, the PM emissions including PM10 from the abrasive blasting operation are not expected to exceed 73.4 tpy. This represents an increase of 32.75 tpy in the amount of PM emissions allowed from the abrasive blasting operation. This increase is due to the fact that the air flow associated with the cartridge collector is greater than the air flow associated with the fabric collector it replaces. This increase constitutes a modification of the abrasive blasting operation.

The Department of Environmental Protection's (Department) review of the information submitted by Rescar, Inc. indicates that the abrasive blasting operation will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including 25 Pa. Code § 123.13, following the installation of the proposed cartridge collector. Based on this finding, the Department proposes to issue plan approval for the installation of the cartridge collector and the associated modification of the abrasive blasting operation.

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

1. The PM emissions from the abrasive blasting operation shall either be controlled by the existing fabric collector or the proposed cartridge collector. At no time shall abrasive blasting occur unless one of these two collectors is operating.

2. All conditions contained in State-only operating Permit 17-00017 shall remain in effect unless amended or superseded by a condition contained herein. If there is a conflict between a condition or a requirement contained in this plan approval and a condition or requirement contained in State-only operating Permit 17-00017, the permittee shall comply with the condition or requirement contained in this plan approval rather than with the conflicting condition or requirement contained in State-only operating Permit 17-00017.

3. The concentration of PM in the exhaust of the cartridge collector shall not exceed .04 grain per dry standard cubic foot of effluent gas volume.

4. Spare cartridges shall be kept onsite for the cartridge collector.

5. The cartridge collector shall be equipped with instrumentation to monitor the pressure differential across the collector on a continuous basis.

6. The air compressor used to supply compressed air to the cartridge collector shall be equipped with an air dryer and oil trap.

7. Dust shall only be removed from the cartridge collector dust hopper by means of an enclosed system into an enclosed container.

**19-00006C: Del Monte Corporation** (6670 Low Street, Bloomsburg, PA 17815) for construction of a new pet food manufacturing line in the company's Bloomsburg Plant in South Centre Township, **Columbia County**.

The facility in which the pet food manufacturing line will be located is a major (Title V) facility for SOx and has been issued a Title V operating permit (19-00006).

The proposed new pet food manufacturing line will consist of bulk grain, meal, and the like railcar/truck unloading operations, 11 grain, meal, and the like storage silos, four 9 million Btu per hour natural gas-fired dryers and various pieces of milling, mixing, conveying, and the like equipment. The PM emissions including PM10 will be controlled by a total of 25 fabric collectors (14 of which will not be exhausted to the outside atmosphere) and four wet centrifugal collectors. The wet centrifugal collectors will be used on the four dryers, each of which will also be equipped with low NOx burners.

The air contaminant emissions from the proposed pet food manufacturing line are not expected to exceed 19.78 tons of PM (including up to 16.28 tons PM10), 23.76 tons of NOx, 26.28 tons of CO, 1.05 tons of VOCs, .09 ton of SOx and .31 tons of HAPs per year.

The Department's review of the information submitted by Del Monte Corporation indicates that the proposed pet food manufacturing line should comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the PM emission requirements of 25 Pa. Code § 123.13, the malodorous air contaminant emission requirement of 25 Pa. Code § 123.31 and the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval for the construction of the proposed pet food manufacturing line. Additionally, if the Department determines that the pet food manufacturing line is operating in compliance with all conditions of the plan approval and all applicable regulatory requirements following its construction, the Department intends to incorporate the plan approval conditions into Title V Operating Permit 19-00006 by means of the administrative amendment requirements of 25 Pa. Code § 127.450.

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

1. All unloading of bulk materials (grain, meal, and the like) from trucks shall occur inside an enclosed building with all windows and doors shut during the actual unloading. All unloading of bulk materials from railcars shall occur by unloading the materials from the bottom of the railcars into a hopper located under the tracks.

2. No more than a combined total of 272,261 tons of bulk material shall be unloaded from trucks and railcars in any 12-consecutive month period.

3. The fugitive PM emissions from the unloading of bulk materials from trucks and railcars shall not exceed 4.56 tons in any 12-consecutive month period of which no more than 1.06 tons in any 12-consecutive month period shall be PM10.

4. All fabric collectors installed to control PM/PM10 from the pet food manufacturing line shall be as described in the application and supplemental materials submitted for plan approval.

5. The PM emitted from the fabric collector controlling the outdoor hammermill shall not exceed .0025 grain per dry standard cubic foot of effluent gas volume and .63 ton in any 12-consecutive month period and the PM10 emitted shall not exceed .0025 grain per dry standard cubic foot of effluent gas volume and .63 ton in any 12-consecutive month period. Additionally, there shall be no visible air contaminant emissions from the fabric collector other than water vapor or steam.

6. The PM emitted from the fabric collector controlling the two mechanically-loaded ground corn silos shall not exceed .0025 grain per dry standard cubic foot of effluent gas volume and .09 ton in any 12-consecutive month period and the PM10 emitted shall not exceed .0025 grain per dry standard cubic foot of effluent gas volume and .09 ton in any 12-consecutive month period. Additionally, there shall be no visible air contaminant emissions from the fabric collector other than water vapor or steam.

7. The PM emitted from each of the 9 fabric collectors controlling the 9 pneumatically-loaded silos shall not exceed .0025 grain per dry standard cubic foot of effluent gas volume and .18 ton in any 12-consecutive month period and the PM10 emitted shall not exceed .0025 grain per dry standard cubic foot of effluent gas volume and .18 ton in any 12-consecutive month period. Additionally, there shall be no visible air contaminant emissions from any of these fabric collectors other than water vapor or steam.

8. Each fabric collector exhausting to the outdoor atmosphere shall be equipped with instrumentation to monitor the pressure differential across the collector on a continuous basis.

9. The air compressors supplying compressed air to the fabric collector shall be equipped with an air dryer and oil trap.

10. Spare bags shall be kept onsite for all fabric collectors.

11. The outdoor hammermill and all conveyors located outdoors shall be completely enclosed.

12. The combined heat input of the burners incorporated in each dryer shall not exceed 9 million Btu per hour, all burners shall be low NOx burners and all burners shall be fired on natural gas only.

13. The water used in the wet centrifugal collectors shall be clean water used on a "once-through" basis. Additionally, the water flow rate to each centrifugal collector shall not be less than 12-gallons per minute at any time the collector is operating.

14. Each wet centrifugal collector shall be equipped with a pressure gauge to monitor the pressure of the water supplied to the collector, instrumentation to monitor the water flow rate to the collector (in gallons per minute) and an alarm system which shall be activated if the water flow rate is below the required rate.

15. The PM emitted from each of the 4 wet centrifugal collectors shall not exceed .005 grain per dry standard cubic foot of effluent gas volume and 3.22 tons in any 12-consecutive month period and the PM10 emitted shall not exceed .005 grain per dry standard cubic foot of effluent gas volume and 3.22 tons in any 12-consecutive month

period. Additionally, there shall be no visible air contaminant emissions other than water vapor or steam.

16. The NOx emissions from each of the 4 dryers shall not exceed .151 pound per million Btu of heat input, 1.36 pounds per hour and 5.94 tons in any 12-consecutive month period, the CO emissions shall not exceed .167 pound per million Btu of heat input, 1.5 pounds per hour and 6.57 tons in any 12-consecutive month period, the VOC emissions shall not exceed .0054 pound per million Btu of heat input, .049 pound per hour and .21 tons in any 12-consecutive month period, the SOx emissions shall not exceed .01 pound per hour and .02 ton in any 12-consecutive month period and the HAPs emissions shall not exceed .072 ton in any 12-consecutive month period.

17. Within 180 days of the commencement of operation of each dryer, stack testing shall be performed on the respective dryer to determine the PM, NOx and CO emission rates. The PM stack testing shall include a determination of the condensable PM emission rate. The permittee shall also perform PM10 stack testing if the Department ever determines that it is needed. All testing shall be performed using test procedures acceptable to the Department while the dryer is operating at maximum capacity.

18. The total combined NOx emissions from the four existing boilers identified in Title V Operating Permit 19-00006 as Sources 031, 032, 034 and 035 shall not exceed 78.61 tons in any 12-consecutive month period following the commencement of operation of the second dryer, 71.03 tons in any 12-consecutive month period following the commencement of operation of the third dryer and 67.25 tons in any 12-consecutive month period following the commencement of operation of the fourth dryer.

19. The total combined amount of No. 6 fuel oil burned in the two existing boilers identified in Title V Operating Permit 19-00006 as Sources 031 and 032 shall not exceed 1,712,500 gallons in any 12-consecutive month period following the commencement of operation of the second dryer, 1,437,500 gallons in any 12-consecutive month period following the commencement of operation of the third dryer and 1,300,000 gallons in any 12-consecutive month period following the commencement of operation of the fourth dryer.

20. The VOC and volatile HAP emissions resulting from the use of ink in the packaging area shall not exceed .051 ton and .015 ton, respectively, in any 12-consecutive month period. Additionally, no more than 14 gallons of ink shall be used in any 12-consecutive month period and the ink shall not contain more than 2.164 pounds of volatile HAPs per gallon.

21. The VOC and volatile HAP emissions from the use of hot melt adhesives in the packaging area shall not exceed .156 ton and zero tons, respectively, in any 12-consecutive month period. Additionally, no more than 52,000 pounds of hot melt adhesives shall be used in any 12-consecutive month period.

22. Comprehensive accurate records shall be maintained of the amount of bulk material delivered by railcar each month, the amount of bulk material delivered by truck each month, the total combined amount of natural gas burned in the dryers each month, the amount of NOx emitted from the dryers each month and the identity, quantity VOC content and volatile HAP content of each ink, hot melt adhesive, and the like used in the packaging area each month. These records shall be submitted to the Department on a semi-annual basis.



A copy of the plan approval application is available for public inspection during normal business hours at the address listed. Persons interested in inspecting the application must schedule an appointment in advance.

Persons wishing to protest the issuance of plan approval or provide the Department with additional information which he/she believes should be considered in the Department's review of the respective plan approval application may do so by submitting the protest or information in writing to the Department at the address listed below.

Protests or comments must be received by the Department within 30 days of the last date of publication of this notice in order to be considered. Each protest or comment should include the name, address and telephone number of the person submitting the protest or comment and a concise statement explaining the relevancy of the protest or comment being presented to the Department.

A public hearing may be held if the Department, in its discretion, decides that such a hearing is warranted based on the information received. Persons protesting the issuance of plan approval, submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation in the South Centre Township area or by letter or telephone if the Department feels that that notification is sufficient.

Written comments, protests or requests for a public hearing should be directed to David W. Aldenderfer, Environmental Program Manager, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

For additional information regarding the respective plan approval application, contact Richard L. Maxwell, Jr., Chief, New Source Review Section, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3640.

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

**10-021P: Indspec Chemical Corp.** (133 Main Street, Petrolia, PA 16050) for installation of a new 9,949 gallon Styrene Storage Tank at their facility in Petrolia Borough, **Butler County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a plan approval to install a new 9,949 gallon Styrene Storage Tank at the facility in Petrolia Borough, Butler County. The facility currently has a Title V permit which was issued 11/2/2000. 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.

As a general summary, the following requirements are applicable to the board breaker and the control device:

1. (a) The permittee shall maintain a record of the daily throughput of styrene in the storage tank.
- (b) The records shall be made available to the Department upon request.
2. (a) The permittee shall maintain combination flame arrester/conservation vents on the styrene tank.
- (b) The permittee shall maintain the temperature and level indicators on the styrene tank.

3. 40 CFR Part 63 NESHAPS for Source Categories 40 CFR 63.1417 Subpart OOO—National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins

(a)—(d) [Do Not Apply]

(e) Notification of Compliance Status. For existing and new affected sources, a Notification of Compliance Status shall be submitted within 150 days after the compliance dates specified in 63.1401. For equipment leaks, the Notification of Compliance Status shall contain the information specified in 40 CFR Part 63, Subpart UU. For storage vessels, continuous process vents, batch process vents and aggregate batch vent streams, the Notification of Compliance Status shall contain the information listed in subsection (e)(1)—(6) of this section.

(1) The results of any emission point applicability determinations, performance tests, design evaluations, inspections, continuous monitoring system performance evaluations, any other information used to demonstrate compliance and any other information, as appropriate, required to be included in the Notification of Compliance Status under 40 CFR Part 63, Subpart WW and subpart SS, as referred to in 63.1404 for storage vessels; under 40 CFR Part 63, subpart SS, as referred to in 63.1405 for continuous process vents; under 63.1416(f)(1)—(3) for continuous process vents; under 63.1416(d)(1) for batch process vents; and under 63.1416(e)(1) for aggregate batch vent streams. In addition, each owner or operator shall comply with subsection (e)(1)(i) and (ii) of this section.

(i) For performance tests, applicability determinations, and estimates of organic HAP emissions that are based on measurements, the Notification of Compliance Status shall include one complete test report, as described in subsection (e)(1)(ii) of this section, for each test method used for a particular kind of emission point. For additional tests performed for the same kind of emission point using the same method, the results and any other required information shall be submitted, but a complete test report is not required.

(ii) A complete test report shall include a brief process description, sampling site description, description of sampling and analysis procedures and any modifications to standard procedures, quality assurance procedures, record of operating conditions during the test, record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, documentation of calculations and any other information required by the test method.

(2) For each monitored parameter for which a maximum or minimum level is required to be established, the Notification of Compliance Status shall contain the information specified in subsection (e)(2)(i)—(iv) of this section, unless this information has been established and provided in the operating permit.

(i) The required information shall include the specific maximum or minimum level of the monitored parameter(s) for each emission point.

(ii) The required information shall include the rationale for the specific maximum or minimum level for each parameter for each emission point, including any data and calculations used to develop the level and a description of why the level indicates proper operation of the control device or control technology.

(iii) The required information shall include a definition of the affected source's operating day, as specified in

63.1416(c)(2)(ii), for purposes of determining daily average values or batch cycle daily average values of monitored parameters. The required information shall include a definition of the affected source's blocks, as specified in 63.1416(c)(2)(ii), for purposes of determining block average values of monitored parameters.

(iv) For batch process vents, the required information shall include a definition of each batch cycle that requires the control of one or more batch emission episodes during the cycle, as specified in 63.1413(e)(1)(iii) and 63.1416(c)(2)(ii).

(3) When the determination of applicability for process units, as made following the procedures in 63.1400(g), indicates that a process unit is an APPU, an identification of the APPU and a statement indicating that the APPU is an APPU that produces more than one intended product at the same time, as specified in 63.1400(g)(1), or is a flexible operations process unit as specified in 63.1400(g)(2)—(4).

(4) [Reserved]

(5) The results for each predominant use determination for storage vessels belonging to an affected source subject to this subpart that is made under 63.1400(h)(6).

(6) Notification that the owner or operator has elected to comply with 63.1416(h), Reduced Recordkeeping Program. The same kind of emission point using the same method, the results and any other required information shall be submitted, but a complete test report is not required.

(ii) A complete test report shall include a brief process description, sampling site description, description of sampling and analysis procedures and any modifications to standard procedures, quality assurance procedures, record of operating conditions during the test, record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, documentation of calculations and any other information required by the test method.

(2) For each monitored parameter for which a maximum or minimum level is required to be established, the Notification of Compliance Status shall contain the information specified in subsections (e)(2)(i)—(iv) of this section, unless this information has been established and provided in the operating permit.

(i) The required information shall include the specific maximum or minimum level of the monitored parameters for each emission point.

(ii) The required information shall include the rationale for the specific maximum or minimum level for each parameter for each emission point, including any data and calculations used to develop the level and a description of why the level indicates proper operation of the control device or control technology.

(iii) The required information shall include a definition of the affected source's operating day, as specified in 63.1416(c)(2)(ii), for purposes of determining daily average values or batch cycle daily average values of monitored parameters. The required information shall include a definition of the affected source's blocks, as specified in 63.1416(c)(2)(ii), for purposes of determining block average values of monitored parameters.

(iv) For batch process vents, the required information shall include a definition of each batch cycle that requires the control of one or more batch emission episodes during the cycle, as specified in 63.1413(e)(1)(iii) and 63.1416(c)(2)(ii).

(3) When the determination of applicability for process units, as made following the procedures in 63.1400(g), indicates that a process unit is an APPU, an identification of the APPU and a statement indicating that the APPU is an APPU that produces more than one intended product at the same time, as specified in 63.1400(g)(1), or is a flexible operations process unit as specified in 63.1400(g)(2)—(4).

(4) [Reserved]

(5) The results for each predominant use determination for storage vessels belonging to an affected source subject to this subpart that is made under 63.1400(h)(6).

(6) Notification that the owner or operator has elected to comply with 63.1416(h), Reduced Recordkeeping Program.

(7)—(9) [Does Not Apply]

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at 230 Chestnut Street, Meadville, PA 16335.

Any persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed Permit No.10-021P.

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, when the Department determines telephone notification is sufficient. Written comments or requests for a public hearing should be directed to Carolyn L. Cooper, P. E., New Source Review, 230 Chestnut Street Meadville, PA 16335, (814) 332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Carolyn L. Cooper, P. E., or the Pennsylvania AT&T Relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

If a plan approval has not undergone the public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in 25 Pa. Code §§ 127.421 to 127.431 for State-only operating permits or 25 Pa. Code §§ 127.521—127.524 for Title V operating permits.

**42-158K: Temple—Inland Forest Products Corp.** (149 Temple Drive, Kane, PA 16735) for addition of the board breaker, a new source that had been previously included in Plan Approval 42-158D, for the Temple-Inland Mt. Jewett Complex Operations in Mt. Jewett Township, **McKean County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a plan approval for the Temple-Inland Mt. Jewett Complex Operations in Mt. Jewett Township, McKean County to add the board breaker, a new source that had been previously included in Plan Approval 42-158D, but not included in the new PAL permit. The facility currently has a Title V Permit No. 42-00158, which was issued on 10/02/2006. 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.

As a general summary, the following requirements are applicable to the board breaker and the control device:

1. Under 40 CFR 52.21(aa), the PAL is established for particulate emissions from all affected sources at the facility as 264.55 tpy calculated on a 12-month rolling sum.

2. This source is subject to the subgroup entitled General PAL Requirements found in the existing Title V Permit.

3. This source is subject to the CAM Requirements found in the existing Title V Permit. Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed Permit No. 42-158K.

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, when the Department determines telephone notification is sufficient. Written comments or requests for a public hearing should be directed to Carolyn L. Cooper, P. E., New Source Review, 230 Chestnut Street Meadville, PA 16335, (814) 332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Carolyn L. Cooper, P. E., or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate your needs.

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in 25 Pa. Code §§ 127.421 to 127.431 for State-only operating permits or 25 Pa. Code §§ 127.521—127.524 for Title V operating permits.

**43-305B: Champion Carrier Corp.** (2755 Kirila Road, Hermitage, PA 16148-9019) for post modification approval

of Booth No. 1 at the truck body manufacturer in the City of Hermitage, **Mercer County**.

In accordance with 25 Pa. Code §§ 127.44(d) and 127.424(d), the Department of Environmental Protection (Department) intends to issue a plan approval for post modification of the No. 1 surface coating booth from a water wash type control to a dry filter system. Particulate emissions will be reduced slightly and VOC emissions will remain the same. This booth and the two existing booths total emissions combined are restricted to 23.19 tpy of VOC or less during any consecutive 12-month rolling period. In addition, the facility is required to comply with 25 Pa. Code § 129.52. The plan approval will contain monitoring requirements for the pressure drop gauge indicating the pressure drop across the filters. Recordkeeping requirements of the pressure drop, filter changes and total VOC emissions are also included in the plan approval. The plan approval will also include additional requirements to ensure the source is operated in compliance with the Department's regulations contained in 25 Pa. Code Chapters 121—143 and the requirements of the Federal Clean Air Act. 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. Issuance of the plan approval is recommended with the appropriate conditions in the plan approval.

#### OPERATING PERMITS

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

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

**15-00002: Quebecor World Atglen, Inc.** (4581 Lower Valley Road, West Sadsbury Township, PA 19310) for renewal of the Title V Operating Permit issued on 11-7-2001. The facility is a printing company that employs two printing processes—publication rotogravure and in a very limited circumstances, flexography—to provide printing to the publishing industry in West Sadsbury Township, Chester County. As a result of potential emissions of VOCs, 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 Renewal does not reflect any change in air emissions from the facility. The facility is subject to the Compliance Assurance Monitoring regulation under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

**46-00061: Department of Corrections—Graterford State Correctional Institute** (Graterford Road, Collegeville, PA 19426) for renewal of the Title V Operating Permit issued on December 19, 2001. The facility operates three anthracite coal fired boilers and on No. 2 fuel oil fired boiler in Skippack Township, **Montgomery County**. As a result of potential emissions of NOx 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. This Title V Operating Permit was also revised to incorporate plan approval 46-329-014 for three standby diesel generators in accordance with the requirements of 25 Pa. Code § 127.450. The proposed Title V Operating

Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. 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.

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

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

**28-03013: Grove Bowersox Funeral Home** (50 South Broad Street, Waynesboro, PA 17268) for a natural minor permit renewal for a crematorium at Waynesboro Borough, **Franklin County**.

**36-05145: Craig Manufacturing Corp.** (P. O. Box 901, Adamstown, PA 19501) for operation of the utility box manufacturing process at their facility in West Cocalico Township, **Lancaster County**. The synthetic minor facility has limitations to keep emissions less than 50 tpy of VOC, 25 tpy of combined HAPs and 10 tpy of a single HAP. The operating permit will include emission restrictions, work practice standards, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**42-00177: Bradford Forest, Inc.** (444 High Street, P. O. Box 369, Bradford, PA 16701-0369) for reissuance of a Natural Minor Operating Permit to operate a wood processing facility in Bradford City, **McKean County**. The facility's primary emission sources include three wood fired boilers, sawmill and wood working operations and three parts washers.

**COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

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

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

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

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

*Coal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 32850701 and NPDES Permit No. PA0213683. AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650). To renew the permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County** and related NPDES permit. No additional discharges. Application received: January 8, 2007.

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

**56823143 and NPDES No. PA0605841. Croner, Inc.** (P. O. Box 260, Friedens, PA 15541). Permit renewal for the continued operation and restoration of a bituminous surface mine in Quemahoning Township, **Somerset County**, affecting 202.0 acres. Receiving streams: UNTs

to Beaverdam Creek and Beaverdam Creek classified for the following use: HQ-CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority, Stonycreek River. Application received: January 17, 2007.

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

**63980101 and NPDES Permit No. PA0202151. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Renewal application for commencement, operation and reclamation to a bituminous surface mine, located in Somerset Township, **Washington County**, affecting 173 acres. Receiving stream: UNT to North Branch of Pigeon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 22, 2007.

*Noncoal Applications Received*

*Effluent Limits*

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

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

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

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

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

**Permit No. 4074SM12 and NPDES Permit No. PA0599352. New Enterprise Stone and Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664). Renewal of NPDES Permit, Jefferson Township, **Somerset County**. Receiving streams: Kooser Run and UNTs to Kooser Run classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 17, 2007.

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

**37010301. Quality Aggregates, Inc.** (200 Neville Road, Neville Island, PA 15225). Renewal of NPDES Permit No. PA0241881, Slippery Rock Township, **Lawrence County**. Receiving streams: nine UNTs of Slippery Rock Creek, classified for the following use: CWF. The first downstream potable water supply intakes from the point of discharge are Camp Allegheny and Ellwood City. NPDES Renewal application received: January 24, 2007.

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

**6276SM2A1C10. Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506). Correction to an existing quarry operation to add another access road in East Earl Township, **Lancaster County** affecting 232.0 acres, receiving stream: Conestoga Creek. Application received: January 22, 2007.

**7775SM10C and NPDES Permit No. PA0011789. Lehigh Cement Company** (537 Evansville Road, Fleetwood, PA 19522). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Maiden Creek Township, **Berks County**, receiving stream: UNT to Lake Ontelaunee, classified for the following use: WWF and migratory fishery to Schuylkill River. Application received: January 23, 2007.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

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

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#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E15-765. Glick & Weintraub**, 1501 Broadway, Suite 201, New York, NY 10036, Willistown Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain an 8-foot wide covered footbridge spanning approximately 50 feet across the West Branch of Crum Creek to accommodate pedestrian and horse traffic. The location is approximately 1,500 feet southeast of the intersection of Warren Avenue and Davis Road (Valley Forge, PA-NJ USGS Quadrangle N: 0.75 inch; W: 15:34 inches).

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

**E50-239. Randy L. Brenize**, 3812 New Franklin Road, Chambersburg, PA 17201, Tyrone Township, **Perry County**, ACOE Baltimore District.

To construct and maintain a 14-foot wide single span bridge having a centerline span of 32 feet on a 65° skew with a minimum underclearance of 4 feet and associated improvements across Trout Run (CWF) to access their property located just off T-331 (McCabe Road) approximately 0.7 mile downstream of the Tuscarora State Forest boundary line (Landisburg, PA Quadrangle N: 5.65 inches; W: 17.36 inches; Latitude: 40° 16' 52"; Longitude: 77° 22' 28") in Tyrone Township, Perry County.

**E07-411. Logan Township**, 800 39th Street, Altoona, PA 16602, Logan Township, **Blair County**, ACOE Baltimore District.

To construct and maintain a streambank stabilization project on a 4,900-foot section of Mill Run (WWF) beginning at the Allegheny Reservoir (Altoona, PA Quadrangle N: 1.28", W: 8.63"; Latitude: 40° 30' 25", Longitude: 78° 26' 13") and ending at the railroad overpass (Altoona, PA Quadrangle N: 0.38", W: 6.96"; Latitude: 40° 30' 08", Longitude: 78° 25' 30"), involving the placement of 20 rock cross-vanes, five rock j-hooks, 1,000 linear feet of rock toe protection, gravel bar removal, and two minor stream re-alignments in Logan Township, **Blair County** for the purpose of controlling erosion along the streambanks.

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

**E10-427. Department of Transportation, District 10-0**, 2550 Oakland Avenue Indiana, PA. SR 0356, Section 0250, Across Connoquenessing Creek, in Butler, **Butler County**, ACOE Pittsburgh District (Butler, PA Quadrangle N: 19.4 inches; W: 2.5 inches).

To remove the existing structure and to construct and maintain either a 5-span steel girder bridge having clear spans of 67', 106', 110', 141', 133' and an underclearance of 56' on a 90° skew or a 5-span prestressed concrete girder bridge having clear spans of 61'-3", 112'-9", 122'-6", 123' and 135'-9" and an underclearance of 56' on a 90° skew across Connoquenessing Creek (CWF) on SR 0356, Section 0250.

**E20-552. D & L Energy, Inc.**, 2761 Salt Springs Road, Youngstown, OH 44509. CCPI Well 3, in Vernon Township, **Crawford County**, ACOE Pittsburgh District (Meadville, PA Quadrangle N: 5.10 inches; W: 5.72 inches).

The applicant proposes to construct and maintain a natural gas well, 2-inch diameter steel natural gas distribution line and 300-foot long access road within the FEMA floodway of French Creek approximately 1,700 feet west of the west bank of French Creek and approximately 1,600 feet NE of the intersection of Dunham Road and Rodgers Ferry Road. French Creek is a perennial stream classified as a WWF.

**E20-553. Walter Thomas**, 11382 Primrose Lane, Conneaut Lake, PA 16316. Walter Thomas Earthen and Floating Dock, in Sadsbury Township, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 19.9 inches; W: 7.4 inches).

The applicant proposes to modify an existing earth dock and floating dock system in Conneaut Lake lakeward of the E end of Gentian Way approximately 1.1 mile NE of the intersection of SR 6 and SR 618 involving: 1) to maintain an existing earth dock having a length of 60 feet and a width of 16 feet; and 2) to modify an existing floating dock (GP No. 022092601) having a width of approximately 4 feet and a length of 50 feet to a floating dock having a width of approximately 4 feet and a length of 65 feet with two perpendicular sections toward the lakeward end each having a width of approximately 4 feet and a length of 35 feet. Conneaut Lake is a perennial body of water classified as a HQ-WWF.

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

**E14-487. Robert S. McGrail-Peasley**, 2045 Runville Road, Bellefonte, PA 16823, Berm/bridge/culvert, in Boggs Township, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches).

To construct and maintain: 1) 340 foot long by 2 foot wide by 2 foot high earthen berm on the top of the right bank of a UNT to Wild Cat Run for the purpose of protecting an earthen road from flood waters; 2) a wooden pedestrian bridge with a 19-foot clear span and 4-foot underclearance across Wild Cat Run for private use; 3) a 24-inch diameter HDPE culvert with a rock headwall to make a new road crossing near the upstream limit of the earthen berm, located 3,100 feet upstream of the intersection of Gum Stump Road and Runville Road (SR 144) (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches) in Boggs Township, Centre County. This project proposes to impact 340 linear feet of the UNT to Wild Cat Run and 5 linear feet of Wild Cat Run that are tributaries to Wallace Run, which is classified as a HQ-CWF and proposes no wetland impacts.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA28-002CO. Dirk Schenk**, 10204 Amsterdam Road, Waynesboro, PA 17268, Washington Township, **Franklin**

**County**, ACOE Baltimore District. To repair the embankment and remove accumulated sediment from an existing nonjurisdictional dam adjacent to a UNT to Red Run (CWF). The dam is located approximately 900 feet west of the intersection of Old Mill Road and Amsterdam Road (Smithsburg, MD-PA Quadrangle, Latitude 39° 44' 03"; Longitude: 77° 33' 08"). The project will impact 0.025-acre of PEM wetland. The wetland impact is considered de minimis, therefore replacement is not required.

#### DAM SAFETY

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

**D43-019. Buhl Farm Trust**, P. O. Box 709, Sharon, PA 16146-1590. To modify, operate and maintain Buhl Park Dam across Thornton Run (Palustrine Emergent (PEM), for the purpose of increasing spillway capacity to pass the 100 year design storm without overtopping, (Sharon East, PA Quadrangle N: 22.55 inches; W: 15.0 inches) in City of Hermitage, **Mercer County**.

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## ACTIONS

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

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

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

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

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

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

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

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

### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0085022 (SEW)	Conoy Township (Falmouth Wastewater Treatment Plant) 211 Falmouth Road Bainbridge, PA 17502	Lancaster County Conoy Township	UNT Susquehanna River 7-G	Y
PA0087882 (SEW)	Visaggio's Ristorante 6990 Wertzville Road Enola, PA 17025	Cumberland County Silver Spring Township	Simmons Creek 7-B	Y
PA0042528 (SEW)	Lester B. Searer Margaretta Mobile Home Park 4754 East Prospect Road York, PA 17406-8653	York County Lower Windsor Township	Cabin Creek 7-I	Y
PA0051764 (SEW)	Galen Hall Corporation 815 Lancaster Avenue Reading, PA 19607	Berks County South Heidelberg Township	UNT Little Cocalico Creek 7-J	Y
PA0087033 (SEW)	Rachel Esh 6352 McClays Mill Road Newburg, PA 17240	Franklin County Lurgan Township	UNT Conodoguinet Creek 7-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0044652 Sewerage	Department of Conservation and Natural Resorcs, Bureau of State Parks Mt. Pisgah State Park R. R. 3 Box 362 Troy, PA 16947-9488	West Burlington Township Bradford County	Mill Creek 4C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0217298 Industrial Waste	Mon River Towing, Inc. 200 Speers Street Belle Vernon, PA 15012	Washington County Speers Borough	Monongahela River	Y
PA0094269 Sewage	James D. Sheridan 151 Adams Road Gallitzin, PA 16641	Cambria County Gallitzin Township	Clearfield Creek	Y
PA0218413 Sewage	Economy Borough Municipal Authority 2860 Conway Wallrose Road Baden, PA 15005	Beaver County Economy Borough	Big Sewickley Creek	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0221261	Richard A. and Pamela A. Roupe 600 Minard Run Road Bradford, PA 16701	Bradford Township McKean County	UNT to Minard Run 16-C	Y



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


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

**PA#0065072**, Industrial, **Flying J., Inc.**, 333 W. Center Street, North Salt Lake, UT 85054. This proposed facility is located in New Milford Township, **Susquehanna County**.

Description of Proposed Activity: The receiving stream, UNT to Nine Partners Creek, is in the State Water Plan Watershed No. 04F and is classified for: CWF, aquatic life, water supply recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.010.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
Oil and Grease			15	30
pH			6.0 to 9.0 std. units at all times	
Total Recoverable Petroleum Hydrocarbons			Monitor and Report	
Total BTEX			Monitor and Report	

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


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

**WQM Permit No. 5803403-T1**, Sewerage, **Department of Military and Veterans Affairs**, Fort Indiantown Gap, Annville, PA 17003-5002. This proposed facility is located in New Milford Township, **Susquehanna County**.

Description of Proposed Action/Activity: Transfer of water quality management permit.

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

**WQM Permit No. 0605414**, Sewerage, **Michael Rodino, MDR Construction**, 38 West Lancaster Avenue, Shillington, PA 19607. This proposed facility is located in Ruscombmanor Township, **Berks County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities existing of a grinder pump station, 1,500 gallon dual compartment septic tank and ES6 Enviroserver unit with UV disinfection and at-grade bed with dosing pump to serve Lot No. 3 in Breezy Meadows Subdivision.

**WQM Permit No. 0605413**, Sewerage, **Michael Rodino, MDR Construction**, 38 West Lancaster Avenue, Shillington, PA 19607. This proposed facility is located in Ruscombmanor Township, **Berks County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities existing of a grinder pump station, 1,500 gallon dual compartment septic tank, an ES6 Enviroserver unit with UV disinfection and AT-Grade Bed with dosing pump to serve Lot No. 2 in Breezy Meadows.

**WQM Permit No. 0605415**, Sewerage, **Michael Rodino, MDR Construction**, 38 West Lancaster Avenue, Shillington, PA 19607. This proposed facility is located in Ruscombmanor Township, **Berks County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities existing of a grinder pump station, 1,500 gallon dual compartment septic tank and ES6 Enviroserver unit with UV disinfection and at-grade bed with dosing pump to serve Lot No. 4 in Breezy Meadows Subdivision.

**WQM Permit No. 0606408**, Sewerage, **Galen Hall Corporation**, 815 Lancaster Avenue, Reading, PA 19607. This proposed facility is located in South Heidelberg Township, **Berks County**.

Description of Proposed Action/Activity: Approval for the construction/modification and operation of sewerage facilities consisting of the conversion of existing aeration system to a septic tank/sand filter system with chlorine.

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

**WQM Permit No. 4106403**, Sewerage SIC 4952, **Williamsport Sanitary Authority**, 253 West Fourth Street, Williamsport, PA 17701-6113. These proposed facilities will be located in the City of Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: Permit issued authorizing the construction and operation of controls to capture solids and floatable materials at the Authority's four combined sewer overflow outfalls.

**WQM Permit No. 6006402**, Sewerage 4952, **Hidden Valley Camping Resort**, 162 Hidden Valley Lane, Mifflinburg, PA 17844. This facility will be located in West Buffalo Township, **Union County**.

Description of Action/Activity: The applicant is approved to construct and operate a 12,000 gallon per day treated effluent spray irrigation wastewater treatment plant at the Hidden Valley Camping Resort. The treatment scheme will include a 3,000 gallon solids setting tank, two 5,000 gallon aerated pre-equalization tanks, a 1,500 sludge processing tank and a 1,300 gallon chlorine contact tank.

**WQM Permit No. 1406408**, Sewerage, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801. This proposed facility is located in Ferguson Township, **Centre County**.

Description of Proposed Action/Activity: Upgrades to the existing Scott Road pump station to include two new dual submersible pump systems along with related valves and piping.

**WQM Permit No. 1406409**, Sewerage, **Danny Walk**, 1460 Bell Hollow Lane, Port Matilda, PA 16870. This proposed facility is located at Walk's Lane in Taylor Township, **Centre County**.

Description of Proposed Action/Activity: Permit issuance for a small flow treatment system to serve a new residence. The system is to consist of 1,000 gallon septic tank, a 600 square foot sand filter, a 1,500 gpd erosion chlorinator and a 415 gallon chlorine contact tank.

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

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

Description of Proposed Action/Activity: Permit issuance for construction and operation of approximately 1,124 feet of 10-inch and 3,775 feet of 8-inch diameter gravity sewer to serve The Berkshires Development.

**WQM Permit No. 0288461-T1-A1**, Sewerage, **Ohio Township Sanitary Authority**, 1719 Roosevelt Road, Pittsburgh, PA 15237. This existing facility is located in Franklin Park Borough and Ohio Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit amendment issuance for Blackburn Heights pump station modifications.

**WQM Permit No. 0405404-A1**, Sewerage, **Economy Borough Municipal Authority**, 2860 Conway-Wallrose Road, Baden, PA 15005. This existing facility is located in Economy Borough, **Beaver County**.

Description of Proposed Action/Activity: Permit amendment issuance for pump station upgrade and force main replacement.

**WQM Permit No. 1173402-A2**, Sewerage, **Glendale Year Round Sewer Company**, P. O. Box 89, 110 Troxell Spring Road, Flinton, PA 16640. This existing facility is located in White Township, **Cambria County**.

Description of Proposed Action/Activity: Permit amendment issuance for expansion of the Glendale year round sewage treatment plant.

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

**WQM Permit No. WQG018518**, Sewerage, **Andrew Raybuck**, 1326 Scandia Road, Warren, PA 16365. This proposed facility is located in Glade Township, **Warren County**.

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

**WQM Permit No. WQG018517**, Sewerage, **Paul D. and Rebecca L. Waid**, R. D. 2, Box 2650, Russell, PA 16345. This proposed facility is located in Pine Grove Township, **Warren County**.

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

**WQM Permit No. 2506411** Sewerage, **Millcreek Township Sewer Authority**, 3608 West 26th Street, Erie, PA 16506-2509. This proposed facility is located in Millcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a sanitary lift station to serve the proposed Whispering Woods Estates and the Stonebridge Golf Course. The sewage will be conveyed by existing sewers in Millcreek Township and the City of Erie to the City of Erie's wastewater treatment facility.

**WQM Permit No. WQG028307** Sewerage, **Saxonburg Area Authority**, 420 West Main Street, Saxonburg, PA 16056. This proposed facility is located in Penn Township, **Butler County**.

Description of Proposed Action/Activity: This project is for a nine lot residential subdivision/development.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011505088	Cornerstone Communities, Inc. 771 East Lancaster Avenue Villanova, PA 19085	Chester	Wallace Township	Marsh Creek HQ-TSF-MF
PAI011506074	James and Susan Spotts 1310 Harmonyville Road Pottstown, PA 19465	Chester	South Coventry	Pigeon Creek HQ-TSF-MF
PAI011506089	MEC Property Investments, LLC 75 Senn Drive Chester Springs, PA 19425	Chester	Upper Uwchlan Township	Pickering Creek HQ-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025205004	Steven Geiger P. O. Box 162 Pond Eddy, NY 12770	Pike	Delaware Township	Adams Creek EV
PAI023906011	Renee L. Miller 4841 Five Point Road New Tripoli, PA 18066 and John F. Folck 2968 Boger Stadt Road New Tripoli, PA 18066	Lehigh	Weisenburg Township	Lyon Creek HQ-CWF, MF
PAI021305010	Tuthill Corp. t/a Blue Mountain Ski Area P. O. Box 216 Palmerton, PA 18071	Carbon	Lower Towamensing Township	Aquashicola Creek HQ-CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI055606002	Richard L. Finley 7103 Cresswyck Court Wexford, PA 15090	Somerset	Middlecreek Township	Laurel Hill Creek HQ-CWF

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

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

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

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

*General Permit Type—PAG-02*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
East Pikeland Township Chester County	PAG2001506013	Vantage Point of Kimberton, LP P. O. Box 987 Valley Forge, PA 19482	French Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Schuylkill Township Chester County	PAG2001506062	Summit Realty Advisors 621 Delaware Street New Castle, DE 19720	French Creek HTSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Sadsbury Township Chester County	PAR10G475R	AIM Development Corporation 204 Bentley Lane East Fallowfield, PA 19320	Bucks Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Aston Township Delaware County	PAG2002306042	Redeemed Properties 1075 Virginia Drive Suite 100 Fort Washington, PA 19038	Chester Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lynn Township Lehigh County	PAG2003906032	Jack Utt 1474 Green Court Kutztown, PA 19530	Ontelaunee Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Hazle Township Luzerne County	PAG2004006045	CAN DO, Inc. Attn: Kevin O'Donnell 1 South Church St. Hazleton, PA 18201	Black Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Jenkins Township and Pittston Township Luzerne County	PAG2004005031	Mericle Armstrong Road LLC Robert K. Mericle 100 Baltimore Drive East Mountain Corporate Wilkes-Barre, PA 18702-7955	Tributary to Gardner Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
East Pennsboro Township Cumberland County	PAG2002106045	Grants Cove William H. Goodling 395 Allison Avenue Mechanicsburg, PA 17055-4042	Conodoguinet Creek WWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
West Hanover Township Dauphin County	PAG2002204017	Richard Yingst Yingst Homes 7100 Fishing Creek Valley Road Harrisburg, PA 17112	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Lower Paxton Township Dauphin County	PAG2002206054	Molinari and Greenburg, LLC 4083 Wimbledon Drive Harrisburg, PA 17112	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Derry Township Dauphin County	PAG2002207007	Doug Gelder DSG Development Corp. P. O. Box 42 Hershey, PA 17033 and Stan Dougherty Abel Construction Inc. 3925 Columbia Avenue Mountville, PA 17554	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Union County Limestone Township	PAG2006006015	Jim Schwartz P. O. Box 210 1130 Melch Road Mifflinburg, PA 17844	Tan Run Tributary to Penns Creek WWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Armstrong County Mahoning Township and South Bethlehem Borough	PAG2000307001	Redbank Valley Municipal Authority 243 Broad Street New Bethlehem, PA 16242	Redbank Creek TSF	Armstrong County CD (724) 548-3425
Cambria County Richland Township	PAG2001106018	Lorraine Sylvania Pennsylvania Highlands Community College 110 Franklin Street P. O. Box 68 Johnstown, PA 15907	Little Paint Creek CWF	Cambria County CD (814) 472-2120
Greene County Center Township	PAG2003006007 Phase III	CNX Gas Company, LLC 100 Evergreen Drive Waynesburg, PA 15370	Rush Rush HQ-WWF and Lightner Run HQ-WWF	Greene County CD (724) 852-5278
Washington County Fallowfield Township	PAG2006306030 Phase II	Middle Monongahela Industrial Development Assoc., Inc. P. O. Box 491 Donora, PA 15033	Pigeon Creek WWF	Washington County CD (724) 228-6774
Butler County Cranberry Township	PAG2001006023	Freedom Commonwealth Center, Donald Rodgers Concept Development Associates 215 Executive Drive Suite 300 Cranberry Township, PA 16066	Brush Creek WWF	Butler Conservation District (724) 284-5270
Butler County Lancaster Township	PAG2001006030	Harmony Ridge— Phase II Jim Clarke Harmony Development Group, LLC 307 West New Castle Street Zelienople, PA 16063	UNT Little Connoquenessing Creek CWF	Butler Conservation District (724) 284-5270
Butler County Jackson Township	PAG2001006032	Edward Melberg Melcho Properties, LP 112 Seneca Farm Drive Harmony, PA 16037	Breakneck Creek WWF	Butler Conservation District (724) 284-5270
Lawrence County Hickory Township	PAG2003706007	David Smith and Sons Construction Company 747 SR 956 Volant, PA 16156	Hottenbaugh Run TSF	Lawrence Conservation District (724) 652-45127
McKean County City of Bradford	PAG2004206001	Bradford Office of Economic Dev. 20 Russell Boulevard P. O. Box 490 Bradford, PA 16701	West Branch Tunungwant Creek CWF	McKean Conservation District (814) 887-4001

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Wright Township Luzerne County	PAR122202	SVC Manufacturing, Inc. 750 Oakhill Road Mountaintop, PA 18707	Big Wapwallopen Creek	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hanover Township Luzerne County	PAR602221	Louis Cohen and Son, Inc. P. O. Box 1004 Wilkes-Barre, PA 18702	Solomon Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Huntingdon County Walker Township	PAR803522	New Enterprise Stone and Lime Company, Inc. P. O. Box 77 New Enterprise, PA 16664	Crooked Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Huntingdon County Warrior Mark Township	PAR213538	New Enterprise Stone and Lime Company, Inc. P. O. Box 77 New Enterprise, PA 16664	Logan Spring Run WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Douglass Township	PAR203608	Stainless, LLC 1140 Welsh Road Suite 250 North Wales, PA 19454	Manatawny Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Aliquippa Borough Beaver County	PAR206153	Precision Kidd Steel Company One Quality Way Aliquippa, PA 15001	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Jackson Township Butler County	PAR708315	IA Construction Corporation P. O. Box 290 Homer City, PA 15748	Likens Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Newtown Township Delaware County	PAG040062	Richard and Nancy Borkowski 3653 Wyola Drive Newtown Square, PA 19073	UNT to Darby Creek Watershed 3-G	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Hilltown Township Bucks County	PAG040063	Mark Crawford 912 Green Street Perkasie, PA 18944	UNT to West Branch of Neshaminy Creek Watershed 3-E	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Kennett Township Chester County	PAG040059	Edward and Elizabeth West 201 Chandler Mill Road Kennett Square, PA 19348	UNT to West Branch of Red Clay Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Franklin County Lurgan Township	PAG043856	David Flaud 15853 Burnt Mill Road Newburg, PA 17240	UNT to Paxton Run WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Taylor Township Centre County	PAG045229	Danny R. Walk 1460 Bell Hollow Lane Port Matilda, PA 16870	Tributary to Bald Eagle Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Centre County Howard Township	PAG045230	Gregory Dyke 128 Round Hill Road Howard, PA 16841	UNT to Bald Eagle Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Black Lick Township Indiana County	PAG046127	Edgar Baker P. O. Box 367 1087 Campbell Mill Road Black Lick, PA 15716	UNT of Black Lick Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Jenner Township Somerset County	PAG046255	Christopher T. Laksy 3144 Penn Avenue Boswell, PA 15531	Roaring Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Daugherty Township Beaver County	PAG046134	Sherry L. Shaffer 143 Florence Road New Brighton, PA 15066	Blockhouse Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Howe Township Forest County	PAG048704	Carl R. Schwing HC 1, Box 154 Sheffield, PA 16347	UNT to Tionesta Creek 16-F	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Glade Township Warren County	PAG049312	Andrew Raybuck 1326 Scandia Road Warren, PA 16365	UNT to Glade Run 16B	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pine Grove Township Warren County	PAG049311	Paul D. and Rebecca L. Waid R. D. 2, Box 2650 Russell, PA 16345	UNT to Storehouse Run 16B	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Perry Township Lawrence County	PAG048787	Thomas M. Lewis 120 Studebaker Road Portersville, PA 16051-4016	UNT to Camp Run 20-C	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-5*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Tremont Township Schuylkill County	PAG052222	Raceway Truck Stop 10 Molleystown Road Pine Grove, PA 17963	Swatara Creek	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Mt. Pleasant Township Adams County	PAG-08-0002/0003/ 0004/0006/0008/ 2201/2203/2211/ 3501/3502/3506/ 3515/3517/3518/ 3522/3535/3540/ 3542/3547/3551/ 3556/3565/3567/ 3596/3825/9903/ 9904/9905 PAG-07-0003/0005/ 3508	Synagro 1605 Dooley Road P. O. Box B Whiteford, MD 21160	Daniel Musser Farm Mt. Pleasant Township Adams County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Mt. Pleasant Township Adams County	PAG-08-0002/0003/ 0004/0006/0008/ 2201/2203/2211/ 3501/3502/3506/ 3515/3517/3518/ 3522/3535/3540/ 3542/3547/3551/ 3556/3565/3567/ 3596/3825/9903/ 9904/9905	Upper Allen Township 100 Gettysburg Pike Mechanicsburg, PA 17055	Traver Farm Mt. Pleasant Township Adams County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Mt. Pleasant Township Adams County	PAG-08-0002/0003/ 0004/0006/0008/ 2201/2203/ 2211/ 3501/3502/3506/ 3515/3517/3518/ 3522/3535/3540/ 3542/3547/3551/ 3556/ 3565/3567/ 3596/3825/9903/ 9904/9905 PAG-07-0003/0005/ 3508	Synagro 1605 Dooley Road P. O. Box B Whiteford, MD 21160	Dwayne Lawrence Farm Mt. Pleasant Township Adams County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707



<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Mt. Pleasant Township Adams County	PAG-08-0002/0003/ 0004/0006/0008/ 2201/2203/2211/ 3501/3502/3506/3515/ 3517/3518/ 3522/ 3535/3540/3542/ 3547/3551/3556/ 3565/3567/3596/ 3825/9903/9904/ 9905 PAG-07-0003/0005/ 3508	Synagro 1605 Dooley Road P. O. Box B Whiteford, MD 21160	Floyd Stambaugh Farm Mt. Pleasant Township Adams County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Mt. Pleasant Township Adams County	PAG-08-0002/0003/ 0004/0006/0008/ 2201/2203/2211/ 3501/3502/3506/ 3515/3517/3518/ 3522/3535/3540/ 3542/3547/3551/ 3556/ 3565/3567/ 3596/3825/9903/ 9904/9905	Synagro 1605 Dooley Road P. O. Box B Whiteford, MD 21160	Weaver Family Farms 1—3 Mt. Pleasant Township Adams County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

## SAFE DRINKING WATER

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

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

**Operations Permit No. 0907501** issued to: **Northampton, Bucks County Municipal Authority**, 111 Township Line Road, Richboro, PA 18954 (PWSID No. 1090089) Northampton Township, **Bucks County** on January 26, 2007, for the operation of facilities approved under construction permit No. 0905506 for the three manganese greensand filters installed at existing Well No. 16.

**Operations Permit No. 1507501** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 (PWSID No. 1150035) Upper Uwchlan Township, **Chester County** on January 26, 2007, for the operation of facilities approved under construction permit No. 1506504 for the construction of Eagle Pointe's Tank and Booster Station.

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

**Permit No. 6706501**, Public Water Supply.

Applicant	<b>Dover Borough</b>
Municipality	Dover Borough
County	<b>York</b>
Type of Facility	Addition of disinfection facilities at well house No. 3 to boost chlorine residuals for interconnection with Dover Township at interconnection point No. 1.

Consulting Engineer Charles A Kehew II, P. E.  
James R. Holley and Assoc., Inc.  
18 South George St.  
York, PA 17401

Permit to Construct 12/28/2006  
Issued:

**Permit No. 2106504**, Public Water Supply.  
Applicant **Regency Parks**  
Municipality Middlesex Township  
County **Cumberland**  
Type of Facility This construction permit is for new Well No. 4 (a/k/a Replacement Well No. 2). Well No. 4 will serve as a replacement well for existing Well No. 2.

Consulting Engineer James C. Elliot, P. E.  
Gannett Fleming, Inc.  
P. O. Box 67100  
Harrisburg, PA 17106-7100

Permit to Construct 1/26/2007  
Issued:

**Operations Permit** issued to: **Lazy K Campgrounds Inc.**, 3060105, Colebrookdale and Washington, **Berks County** on 1/26/2007, for the operation of facilities approved under Construction Permit No. 0603516.

**Operations Permit** issued to: **The York Water Company**, 7670100, Berwick Township, **Adams County** on 12/20/2006 for the operation of facilities approved under Construction Permit No. 0106506 MA.

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

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

Applicant **Pennsylvania American Water Company**  
Township or Borough Milton Borough  
County **Northumberland**  
Responsible Official Paul A. Zielinski  
Director, Environmental Mgmt. and Compliance  
Pennsylvania American Water Company  
800 West Hersheypark Drive  
Hershey, PA 17033

Type of Facility Public Water Supply—Operation

Consulting Engineer Scott Thomas, P. E.  
Pennsylvania American Water Company  
800 West Hersheypark Drive  
Hershey, PA 17033

Permit Issued Date January 25, 2007

Description of Action Operation of the Milton Reservoir.

**DRINKING WATER STATE REVOLVING FUND  
SPECIAL NOTICE**

**Special Notice under the Federal Safe Drinking Water Act (SDWA) (42 U.S.C.A. § 300f et seq.)**

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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Spangler Municipal Authority	1202 Philadelphia Avenue, Northern Cambria, PA 15714	Cambria

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project.

The applicant, Spangler Municipal Authority, Northern Cambria Borough and Barr Township, Cambria County, proposes the construction of a new water filtration plant to treat iron and manganese and the replacement of a leaking distribution main which involves—12,000 linear feet of drinking water distribution piping. The Department's review of the project and the information received in the environmental report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the environmental assessment.

**SAFE DRINKING WATER**

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

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

**Permit No. 6306503**, Public Water Supply.

Applicant	<b>Pennsylvania American Water Company</b> 800 Hersheypark Drive Hershey, PA 17033
Borough or Township	South Strabane Township
County	<b>Washington</b>
Type of Facility	Strabane Manor Booster Station
Consulting Engineer	
Permit to Construct Issued	January 24, 2007

**Permit No. 0206512**, Public Water Supply.

Applicant	<b>Findlay Township Municipal Authority</b> 1271 Route 30 P. O. Box 409 Clinton, PA 15026
Borough or Township	Findlay Township
County	<b>Allegheny</b>
Type of Facility	Potato Garden Run Phase I water system
Consulting Engineer	NIRA Consulting Engineers, Inc. 950 Fifth Avenue Coraopolis, PA 15108
Permit to Construct Issued	January 24, 2007

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

**Permit No. 8898-W-MA2**, Minor Amendment, Public Water Supply

Applicant	<b>Corner Water Supply and Service Corp.</b>
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Township or Borough Elk Township  
 County **Clarion County**  
 Type of Facility Public Water Supply  
 Permit to Construct 01/25/2007  
 Issued

**Permit No. 6206503**, Public Water Supply  
 Applicant **Pine Grove Township  
 Municipal Authority**  
 Township or Borough Pine Grove Township  
 County **Warren County**  
 Type of Facility Public Water Supply  
 Permit to Construct 01/26/2007  
 Issued

**Operations Permit** issued to: **H & H Property Investments LLC**, PWSID No. 5100043, Lancaster Township, **Butler County**. Permit Number EMERGENCY OP issued January 26, 2007, for the emergency operation of the new replacement well to provide an adequate water supply to Perry Lake Estates MHP. This permit is conditional for a 6-month operational period.

**Operations Permit** issued to: **Pithole Water Association**, PWSID No. 6420031, Keating Township, **McKean County**. Permit Number 4293501-MA2 issued January 30, 2007, for the operation of the two 3,000 gallon settling tanks for iron and manganese sediment removal at the water treatment plant. This is a modification to the original operations permit no. 4293501, issued July 30, 1996.

#### WATER ALLOCATIONS

**Actions taken on applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth**

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

**WA 34-19C, Water Allocations. Mifflintown Municipal Authority, Juniata County.** Authority wishes to withdraw a daily average of up to one mgd from the Juniata River when their existing surface water source is not sufficient to meet demand. The total of one mgd would be from the Juniata River or a combination of both sources. Consulting Engineer: John T. Mazich, P. E., Uni-Tec Consulting Engineers, Inc. Permit Issued: 1/30/2007.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P. L. 1535, as amended, 35 P. S. § 750.5**

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

##### Plan Location:

Borough or Township	Borough or Township Address	County
Southampton Township	200 Airport Road Shippensburg, PA 17257	Cumberland

*Plan Description:* Disapproval of a revision to the Official Sewage Plan of Southampton Township, Cumberland County. The proposed Amos Leid subdivision consists of one residential building lot of 2.24 acres to be served by individual onlot sewage disposal system. The plan was disapproved because in the preliminary hydrogeologic study, after discounting samples that were not geologically linked to the tract and using the sample closest to the proposed lot, the groundwater sample showed a nitrate-nitrogen level of 10.9 mg/l, in excess of the US EPA maximum contaminant level. Under section 606 of The Clean Streams Law, when groundwater at a site is already polluted, a proposal for a new discharge to that polluted groundwater cannot be approved.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

##### Plan Location:

Borough or Township	Borough or Township Address	County
Southampton Township	200 Airport Road Shippensburg, PA 17257	Cumberland

*Plan Description:* Disapproval of a revision to the Official Sewage Plan of Southampton Township, Cumberland County. The proposed Amos Leid subdivision consists of one residential building lot of 2.24 acres to be served by individual onlot sewage disposal system. The plan was disapproved because in the preliminary hydrogeologic study, after discounting samples that were not geologically linked to the tract and using the sample closest to the proposed lot, the groundwater sample showed a nitrate-nitrogen level of 10.9 mg/l, in excess of the US EPA maximum contaminant level. Under section 606 of The Clean Streams Law, when groundwater at a site is already polluted, a proposal for a new discharge to that polluted groundwater cannot be approved.

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

##### Notice of Prompt Interim Response

##### Tomstown TCE Site Quincy Township, Franklin County, PA

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) has initiated a prompt interim response at the Tomstown TCE Site (Site). The prompt interim response has been initiated under Sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020-505(b)).

The site is located in Quincy Township, Franklin County. Groundwater serving a number of residential wells in the area of Tomstown is contaminated with trichloroethylene (TCE), a VOC. This residential area is located about 2-3 miles north of Waynesboro. The nearest public water supply is approximately 1 mile away.

The Department considered three alternatives:

1. *Institutional Controls.* The Department would use institutional controls to limit the use of groundwater.

Individuals would be notified of the health risks for continued use of contaminated private water supplies. Institutional controls such as deed notices or deed restrictions would be placed on record that would alert new property owners, during property transactions, of the contaminated groundwater. Deed notices are attached to the deed to inform prospective property purchasers of the contamination present at the property. Deed restrictions placed on property deeds would restrict or limit future site activities to prevent human contact with contaminated groundwater and place limitations on the use of groundwater without adequate treatment. This alternative would not remove the actual exposure of the residents to the hazardous substances in the groundwater and would not be protective of human health and the environment unless the individual property owners initiated measures to limit their exposure. This alternative would not comply with applicable or relevant and appropriate requirements (ARARs) for the site. The annual analytical cost for the groundwater monitoring in this alternative is \$4,000.

2. *Bottled Water*. This alternative provides for the Department to furnish commercial bottled water to the impacted residences. Bottled water would be delivered regularly to each residence that has a water supply contaminated in excess of the Maximum Contaminant Level (MCL) of 5 ppb for TCE. This would effectively remove the risk posed by ingestion, but would not remove the risk posed by inhalation and dermal contact. This alternative would reduce the negative health impact of using the contaminated groundwater for private water supplies and thus provide an increase in protection of human health and the environment. The present cost of this alternative for the known 11 residential supplies that exceed the MCL for TCE is approximately \$3,800 per year.

3. *Point-Of-Entry Water Treatment Units*. This alternative provides for the Department to install carbon treatment systems on the supply line of private wells that are contaminated. The Department will provide continuing laboratory monitoring of these systems and provide maintenance of these units until a final remedial decision for the site. This is not a permanent solution and would require continued action to monitor and maintain the units. The remedy would need to be continued until the Department completes an investigation of the area to determine the possible source of contamination and final remediation alternatives. The carbon treatment systems would effectively remove the risk posed by ingestion, inhalation and dermal contact. This alternative will be protective of human health and the environment. Initial installation of a carbon treatment system is estimated to cost \$3,670 per unit, currently 1 unit. Annual carbon change out and UV light replacement is estimated at \$1,415. Sampling and analytical monitoring costs are estimated at \$1,040 a year per system.

The Department has selected Alternatives 2 and 3 as prompt interim responses. Alternative 2, Bottled Water, was initiated on January 1, 2007, for residences with water supply contamination levels greater than 5 ppb of TCE but less than 25 ppb. Bottled water delivery will continue until a more permanent solution is provided. Alternative 3, Point-of-Entry Water Treatment Systems, will be provided for residences that have TCE levels greater than 25 ppb TCE in their water supply. The Department has determined by risk analysis that this level presents an unacceptable inhalation threat in addi-

tion to the ingestion threat. This is not a permanent solution and would require continued action to monitor and maintain the units.

The Department is providing this notice under sections 505(b) and 506(b) of the HSCA (35 P. S. §§ 6020.505(b) and 6020.506(b)) and the publication of this notice in the *Pennsylvania Bulletin* starts the administrative record period under HSCA. The Administrative Record which contains information about this site and which supports the Department's decision to perform this action at the site is available for public review and comment. The Administrative Record can be examined Monday through Friday from 8 a.m. to 4 p.m. at the Department's Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting Ruth Bishop at (717) 705-4833. The Administrative Record can also be reviewed at the Quincy Township Building, 7575 Mentzer Gap Road, Waynesboro, PA, (717) 762-5679 from 8 a.m. to 4:30 p.m., Monday through Friday.

The Administrative record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* on February 10, 2007, and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before May 11, 2007, by mailing them to Ruth Bishop at the Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for March 27, 2007, at 7 p.m. at the Quincy Township Building, 7575 Mentzer Gap Road, Waynesboro, PA. Persons wishing to present formal oral comment at the hearing should register before 4 p.m., March 23, 2007, by calling Sandra Roderick at (717) 705-4931. There will be an informational presentation of the Department's activities at this site prior to the public hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should call Sandra Roderick at the previous number or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

## **LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

### **UNDER ACT 2, 1995**

#### **PREAMBLE 2**

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

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Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation

performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Buckeye Partners LP Boothwyn Pipeline**, Bethel Township, **Delaware County**. Jeff Brudereck, GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Danielle Trittenbach Buckeye Partners, LP has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline, No. 2 fuel oil and diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Clemens Cleaners, at Hillcrest Shopping Center**, Lansdale Borough, **Montgomery County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19001 on behalf of Richard Harris, S&R, Hillcrest Owners, LP, 950 Troxel Road, Lansdale, PA 19446 has submitted a Remedial Investigation and Cleanup Plan concerning remediation of site soil and groundwater contaminated with PCE. The report is intended to document remediation of the site to meet the Site-Specific Standards and Statewide Health Standards.

**Concordville Nissan**, Concord Township, **Delaware County**. Gilbert Marshall, Marshall Geoscience, Inc., 170 E. First Avenue, Collegeville, PA 19426 on behalf of Peter Lustgarten, Concordville Nissan, 452 Wilmington-West Chester Pike, Concordville, PA 19331 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Essington Ave., Property Redevelopment Project** City of Philadelphia, **Philadelphia County**. Gerald Kirkpatrick, Env. Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482 on behalf of Kevin Kyle, Essington Avenue, Partners, LLP, 2701 Renaissance Boulevard, 4th Floor, King of Prussia, PA 19406 has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOCs, PAH's and metals. The report is intended to document remediation of the site to meet the Site-Specific Standards.

**Apex on York**, City of Philadelphia, **Philadelphia County**. Robert E. Edwards, RETTEW Assoc., Inc., 3020 Columbia Avenue, Lancaster, PA 17603 on behalf of Greg Pellathy, Pell Partners, 116 Greenwood Avenue, Wyncote, PA 19095 has submitted a Final Report, Remedial Investigation Report, Cleanup Plan and Risk Assessment Report concerning remediation of site soil contaminated with SVOC's and metals. The report is intended to document remediation of the site to meet the Site-Specific Standards.

**Georgia Pacific/Philadelphia Container Facility**, Lower Merion Township, **Montgomery County**. Jeffrey Walsh, Penn Env. and Remediation, Inc., on behalf of Richard Heany, Righter's Ferry Assoc., LP, 700 S. Henderson Road, Suite 225, King of Prussia, PA 19406 has resubmitted a Remedial Investigation Report/Risk Assessment Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with petroleum hydrocarbon compounds and VOC's. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Nicolet Industries Sites**, Ambler Borough, **Montgomery County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Line Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Arnold Frumin, AMA/American Marketing Assoc., Inc., 57 Old Post No. 2 Road, Greenwich, CT, 06830 has submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with PAH's. The report is intended to document remediation of the site to meet the Site-Specific Standards.

**Dave's Transmission and Auto Repair**, Lower Providence Township, **Montgomery County**. Joseph Diamadi, Jr. Marshall, Geoscience, Inc., 170 E. First Avenue, Collegeville, PA 19426 on behalf of David Rice, Dave's Transmissions and Auto Repair, 3831 Ridge Pike, Collegeville, PA 19426 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**McDonalds Restaurant**, City of Philadelphia, **Philadelphia County**. Keith T. D'Ambrosio, P. E., Whitestone Assoc., Inc., New Britain Corp., Ctr., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Scott Lang, McDonald Corp., 150 S. Warner Road, Suite 470, King of Prussia, PA 19406 has submitted a Final Report concerning remediation of site soil contaminated with solvents. The report is intended to document remediation of the site to meet the Site-Specific Standards.

**Sheller Oil Co.**, South Coatesville Borough, **Chester County**. Joseph Diamadi, Marshall Geoscience, Inc., 170 E. First Avenue, Collegeville, PA 19426 on behalf of Karl Heebner, Initial Response, Inc., 6 Unionville Road, Douglassville, PA 19518 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Century 21 Vargo Real Estate**, Lower Providence Township, **Montgomery County**. Gilbert Marshall, Marshall, Geoscience, Inc., 170 E. Frits Avenue, Collegeville, PA 19426 on behalf of Joseph Vargo, Century 21-Vargo Real Estate, 2830 W. Main Street, Trooper, PA 19403 has submitted a Final Report concerning remediation of site soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Palinkas Res**, Cheltenham Township, **Montgomery County**. Tiffani Doerr, GES, Inc., 410 Eagleview Boule-

ward, Suite 110, Exton, PA 19341 on behalf of Sandor Palinkas, 322 Bent Road, Wyncote, PA 190985 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards

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

**Roman Salvage Property**, Greene Township, **Franklin County**. Skelly and Loy, Inc., 2601 North Front Street, Harrisburg, PA 17110, on behalf of Charles R. Roman, Roman's Army Store, 4369 Sunset Pike, Chambersburg, PA 17201-9601, submitted a Remedial Investigation and Final Report concerning remediation of site soils contaminated with arsenic. The property was formerly used for salvage and storage of Army surplus materials; future use is a proposed residential development. The reports are intending to document remediation of the site to both the Site-Specific and Statewide Health Standard.

**Former Farmer's Fertilizer Property**, Elizabethtown Borough, **Lancaster County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of The R.W. Grand Lodge of Free and Accepted Masons of Pennsylvania; The Trustees of Title to the Masonic Temple and Other Real Estate of the Grand Lodge and The Masonic Villages of the Grand Lodge of Pennsylvania, One Masonic Drive, Elizabethtown, PA 17022-2199, submitted a combined Remedial Investigation/Final Report concerning remediation of site soils and groundwater contaminated with metals, VOCs, SVOCs, pesticides and herbicides. The reports are intended to document remediation of the site to both the Site-Specific and nonresidential Statewide Health Standards.

**Yorgey's Cleaners, former Sunoco Service Station**, Elizabethtown Borough, **Lancaster County**. Resource Control Corporation, 1274 North Church Street, Moorestown, NJ 08057, on behalf of Sunoco, Inc., 350 Eagleview Boulevard, Suite 300, Exton, PA 19341, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to the Site-Specific Standard.

**Sunoco Chambersburg Terminal**, Chambersburg Borough, **Franklin County**. Aquaterra Technologies, Inc., P. O. Box 744, West Chester, PA 19381, on behalf of Sunoco, Inc., (R & M), 350 Eagleview Boulevard, Suite 300, Exton, PA 19431, submitted a Final Report concerning remediation of site groundwater contaminated with diesel and fuel oil. The report is intended to document remediation of the site to the nonresidential Statewide Health Standard.

**Patrick Klose Property/Peggy's Fuel Oil**, Londonderry Township, **Dauphin County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Patrick Klose, 2892 Foxianna Road, Middletown, PA 17057 and Peggy's Fuel Oil, 590 Hershey Road, Hummelstown, PA 17036, submitted a Final Report concerning remediation of site soils contaminated with No. 2 heating oil. The report is intended to document remediation of the site to the residential Statewide Health 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, 2 East Main Street, Norristown, PA 19401.*

**Palinkas Res.**, Cheltenham Township, **Montgomery County**. Tiffani Doerr, GES, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Sandor

Palinkas, 322 Bent Road, Wyncote, PA 19095 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on January 10, 2007.

**Wellington Estates**, Bensalem Township, **Bucks County**. Joseph W. Standen, Jr., Legette, Brashers and Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380 on behalf of George Gay, DeLuca Homes, 107 Floral Vale Boulevard, Yardley, PA 19067 has submitted a Final Report concerning the remediation of site soil contaminated with PHC's, arsenic, lead and No. 6 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on January 2, 2007.

**Frankford Valley Corp.**, City of Philadelphia **Philadelphia County**. Gerald Santilli, Frankford Valley Corp., 1901 Route 70, East Cherry Hill, NJ 08003 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on December 20, 2006.

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

**Former Sell's Garage Property**, Borough of Arendtsville, **Adams County**. Alliance Environmental, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Arendtsville Borough, P. O. Box 508, Arendtsville, PA 17303 submitted a baseline remedial investigation work plan concerning the remediation of site soils and groundwater contaminated with gasoline, diesel, waste oil, metals and PCBs. The site is to be remediated as a Special Industrial Area. The plan was approved by the Department on January 4, 2007.

**Former ACCO Site**, York City, **York County**. BL Companies, One Market Square, 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of Eastco Enterprises, Inc., P. O. Box 291, York, PA 17403, submitted a Remedial Investigation Report and Final Report concerning remediation of site soils and groundwater contaminated with metals and VOCs. The combined report demonstrated attainment of a combination of the nonresidential Statewide Health and Site-Specific Standards and was approved by the Department on January 5, 2007.

**CNH America LLC**, Union Township, **Mifflin County**. RMT, Inc., 2025 East Beltline Avenue, Suite 402, Grand Rapids, MI 49546, on behalf of CNH America, LLC, 700 State Street, Racine, WI 53404, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with TCE. The report was approved by the Department on January 11, 2007.

**Buckeye Pipeline-Tuckerton Station**, Muhlenberg Township, **Berks County**. Groundwater and Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, on behalf of Buckeye Pipeline Co, LP, 5002 Buckeye Road, Emmaus, PA 18049, submitted a Remedial Investigation and Final Report concerning remediation of groundwater contaminated with VOCs and SVOCs. The combined report demonstrated attainment of the Site-Specific Standard and was approved by the Department on January 11, 2007. A release of liability for soils was obtained in January 2006.

**313 Old Mine Road**, West Cornwall Township, **Lebanon County**. Alternative Environmental Solutions, 930

Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Paul Clifford, 313 Old Mine Road, Mount Gretna, PA 17064, and Elizabeth Werth, c/o Mary Bercheck, 525 South 8th Street, Lebanon, PA 17042 submitted a Final Report concerning soils contaminated with unleaded gasoline from a removed leaking underground storage tank. The report demonstrated attainment of the residential Statewide Health Standard and was approved by the Department on January 12, 2007.

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

**Application 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.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Berks Transfer, Inc.** Ontelaunee Township, **Berks County Permit No. 101611**. This is to inform Individuals that the Department has reviewed the above referenced application for permit renewal to determine whether it contains the information, maps, fees and other documents necessary to be considered administratively complete. Please be advised that your application has been determined to be administratively complete.

**Permit Application No. 101644. Blair County Resource Recovery Facility, Inc.** Logan Township, **Blair County**. This approves a permit renewal to Solid Waste Permit No 101644 for the operation of Blair County Resource Recovery Facility, issued in accordance with Article V of the Solid Waste Management Act (35 P. S. § 6018.101 et seq.). Compliance with the terms and conditions set forth in the permit is mandatory. Individuals have the right to file an appeal as to these terms and conditions.

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

**Permit ID No. 101421. Shade Landfill, Inc.**, 1176 No. 1 Road, Cairnbrook, PA 15942. Modification for the rephrasing of the northern expansion cells of a municipal waste landfill in Shade Township, **Somerset County** was issued in the Regional Office on January 23, 2007.

#### AIR QUALITY

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

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

**GP1-21-03040: Schreiber Foods, Inc.** (208 East Dykeman Road, Shippensburg, PA 17257-8700) on January 23, 2007, for Small Gas and No. 2 Oil Fired Combustion Units under GP1 in Shippensburg Borough, **Cumberland County**. This is a renewal of the GP1 operating permit.

**GP5-05-03018: Pennsylvania General Energy Co., LLC** (208 Liberty Street, Warren, PA 16365) on January 24, 2007, for Natural Gas, Coal Bed Methane or GOB Gas

Production or Recovery Facilities under GP5 in Monroe Township, **Bedford County**.

**GP7-06-03060A: Tursack Printing, Inc.** (701 Hemlock Road, Morgantown, PA 19543) on January 26, 2007, for Sheet-Fed Offset Lithographic Printing Press under GP7 in Caernarvon Township, **Berks County**.

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

**GP5-32-00355A: Dominion Peoples** (1201 Pitt Street, Pittsburgh, PA 15221) on January 25, 2007, to operate two Caterpillar Model 3512LE Bhp Compressor Engines at the Station Egrey Compressor Station in Conemaugh Township, **Indiana County**.

**GP9-03-00977: Walter L. Houser Coal Co., Inc.** (12968 US Route 422, Kittanning, PA 16201) on January 25, 2007, to operate a diesel engine rated at 245 bhp at their Kinnard III Plant at Kittanning Township, **Armstrong County**.

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

**GP-25-970: Wire Weld, Inc.** (12069 East Main Road, North East, PA 16428) on January 31, 2007, for a burn off oven in Erie, **Erie County**.

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

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

**09-0037F: CMS Gilbreth Packaging System, Inc** (3001 State Road, Croydon, PA 19021) on January 24, 2007, to operate ten unit rotogravure in Bristol Township, **Bucks County**.

**23-0073: Alan McIlvain Company** (P. O. Box 380, 501 Market Street, Marcus Hook, PA 19061) on January 26, 2007, to operate planer and ductwork in Marcus Hook Borough, **Delaware County**.

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

**54-322-005: Commonwealth Environmental Systems LP** (P. O. Box 249, Dunmore, PA 18512) on January 22, 2007, to construct additional landfill space and modify the waste acceptance rate at their facility in Foster Township, **Schuylkill County**.

**35-318-092: Master Halco, Inc.** (1000 North South Road, Scranton, PA 18504) on January 18, 2007, to construct a galvanizing process at their facility in Scranton, **Lackawanna County**.

**40-310-064: Glenn O Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on January 23, 2007, to construct a stone crushing plant and associated air cleaning devices at their Hazleton Aggregate Plant, in Hazle Township, **Luzerne County**.

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

**01-03031B: ISP Minerals, Inc.** (P. O. Box O, Blue Ridge Summit, PA 17217-0914) on January 22, 2007, for stand-by use of the existing old rotary dryer and associated conveyors, that were taken out of daily use when a new replacement rotary dryer system was installed in Hamiltonban Township, **Adams County**. These sources will be controlled by the use of an existing fabric filter baghouse.

**67-05030D: C-P Converters, Inc.** (15 Grumbacher Road, York, PA 17402-9417) on January 24, 2007, to install a Flexographic Press in existing permanent total enclosure Room 2 and Thermal Oxidizer at Manchester Township, **York County**.

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

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

**09-0105B: Naceville Materials** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on January 23, 2007, to operate a 20,000 gallon storage tank in Springfiled Township, **Bucks County**.

**46-0161B: Reading Materials, Inc.** (2052 Lucon Road, - P. O. Box 1467, Skippack, PA 19474) on January 23, 2007, to operate a hot asphalt plant in Lower Pottsgrove Township, **Montgomery County**.

**46-0239: SEI Investments** (1 Freedom Valley Drive, Oaks, PA 19456) on January 23, 2007, to operate two emergency generators in Upper Providence Township, **Montgomery County**.

**15-0027I: Johnson Matthey, Inc.** (456 Devon Park Drive, Wayne, PA 19087) on January 25, 2007, to operate a new diesel catalyts production line No. 1 in Tredyffrin Township, **Chester County**.

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

**07-03049A: A.P. Green Refractories, Inc.** (400 Fairway Drive, Moon Township, PA 15108) on January 24, 2007, to operate a refractory manufacturing facility in Greenfield Township, **Blair 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.*

**32-00385A: CQ Hardwood Finishers, LLC** (28 Kendall Road, Homer City, PA 15748) on January 25, 2007, to allow troubleshooting and maintenance on mechanical and electrical systems at their Hardwood Flooring Finishing Facility in Burrell Township, **Indiana County**. This plan approval was extended.

**26-00558A: Hunter Panels, LLC** (P. O. Box 7000, Carlisle, PA 17013) on January 25, 2007, to allow additional time to conduct an initial operating permit inspection and submit test results at their Fayette Business Park Facility in Georges Township, **Fayette County**. This plan approval was extended.

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



**10-062C: Slippery Rock University** (1 Morrow Way, Maintenance Center, Slippery Rock, PA 16057) on January 31, 2007, to modify boiler No. 3, in Slippery Rock Borough, **Butler County**.

**10-027E: Penreco** (138 Petrolia Street, Karns City, PA 16041) on January 31, 2006, to construct a new gas/oil fired boiler rated at 91 mmBtu/hr to replace the existing coal fired boiler in Karns City Borough, **Butler County**. The new boiler is subject to the New Source Performance Standards for boilers greater than 10 mmBtu and less than 100 mmBtu. The facility is a Title V Facility.

**25-025H: General Electric Transportation Systems—Erie Plant** (2901 East Lake Road, Erie, PA 16531) on January 31, 2007, to install three natural gas/No. 2 fuel oil fired boilers (98.6 mmBtu/hr) in Lawrence Park, **Erie County**.

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

**AMS 05197: Kinder Morgan Liquid Terminals, LLP** (3300 North Delaware Avenue, Philadelphia, PA 19134) on January 26, 2007, under 25 Pa. Code § 127.13a, Philadelphia Air Management Code Section 3-400 and Air Management Regulation XIII to incorporate operating parameters from the performance test and requirements from a monitoring plan implemented by the facility as a result of compliance issues. The plan approval was originally issued February 6, 2006, to install a sodium hydroxide scrubber to control formic acid emissions from two storage tanks in the City of Philadelphia, **Philadelphia County**.

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

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

**07-05008: Team Ten, LLC** (1600 Pennsylvania Avenue, P. O. Box 99, Tyrone, PA 16686) on January 22, 2007, for the paper mill in Tyrone Borough, **Blair County**. This is a modification of their Title V operating permit.

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

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

**46-00154: Eye Designs, LLC** (220 West 5th Street, Collegetown, PA 19426) on January 25, 2007, to issue a State-only Operating Permit to operate a wood furniture surface coating facility in Trappe Borough, **Montgomery County**. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

**15-00021: Glasgow, Inc.—Catanach Asphalt Plant and Quarry** (660 North Morehall Road, Malvern, PA 19335) on January 25, 2007, for a non-Title V, State-only, Synthetic Minor Permit in East Whiteland Township, **Chester County**. Glasgow, Inc. owns and operates a stationary stone crushing plant and a batch asphalt plant at this location. This permit also includes another portable stone crushing plant that operates at this facility

and is shared with other asphalt plants and quarries under the control of Glasgow, Inc. This facility has the potential to emit 87.4 tons of PM per year, 24.9 tons of NOx per year, 24.7 tons of VOCs per year, 31.06 tons of SOx per year and 40.92 tons CO per year. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

**21-03035: Hempt Brothers, Inc.** (205 Creek Road, Camp Hill, PA 17011-7418) on January 22, 2007, to operate a limestone crushing and concrete batch plant at the Locust Point Quarry in Silver Spring Township, **Cumberland County**. This is a renewal of the State-only operating permit.

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

**65-00378: BP Exploration and Oil, Inc.** (4850 East 49th Street, CC-II, Cleveland, OH 44125) on January 9, 2007, to operate a fuel transfer and storage station, with a loading rack that is controlled by a vapor recovery unit, at the Greensburg Terminal in North Huntingdon, **Westmoreland County**. The loading rack is limited 150,000,000 gallons per year, making this a synthetic State-only Operating Permit.

**32-00330: Amfire Mining Co., LLC** (One Energy Place, Latrobe, PA 15650) on January 22, 2007, to operate the Ondo Extension Mine Coal Preparation Plant in Brush Valley Township, **Indiana County**.

**04-00714: Ashland Inc.** (P. O. Box 2219, Columbus, OH 43216) on January 9, 2007, to operate a motor oil blending/packing facility with 63 above ground oil tanks at their Valvoline Company's Plant in Rochester Township, **Beaver County**. This is a natural minor State-only Operating Permit.

**30-00097: Department of Corrections** (169 Progress Avenue, Waynesburg, PA 15370-8082) on January 25, 2007, to operate two larger, natural gas fired boilers rated at 45 mmBtu/hr a piece, one 18 mmBtu/hr and two smaller natural gas fired boilers rated at 4.8 mmBtu/hr a piece along with two emergency generators in Franklin Township, **Greene County**. The three larger boilers do have the capability of burning No. 2 fuel oil as a backup.

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

**37-00268: Commercial Asphalt Supply Inc.** (155 Route 228 W, Valencia, PA 16059-2029) on January 24, 2007, to reissue a Synthetic Minor Permit to operate a hot mix asphalt plant in Scott Township, **Lawrence County**. The facility has included a drum mix asphalt plant as a significant source. The facility has taken a throughput restriction of 650, 2,000 tons product per year and 2,640 hours of operational restriction to be a Synthetic minor facility.

**61-00180: Vertical Seal Co.—Akers National Roll Co.** (R. R. 1 Box 147, Pleasantville, PA 16341) on January 23, 2007, to reissue a Natural Minor Operating Permit to operate a process which restores steel mill components to original tolerance in Harmony Township, **Forest County**. The facility's primary emission sources include five furnaces used to melt metals, a degreasing operation, a stress relief/heat treat furnace and miscellaneous propane combustion (space heaters).

**37-00023: Orion Power Midwest, LP** (2189 Route 168 South, West Pittsburgh, PA 16160) on January 23, 2007, to reissuance the Title V Operating Permit in Taylor Township, **Lawrence County**. Orion Power generates and distributes electricity. The facility's major emission sources include Babcock and Wilcox boilers (3), electromotive diesel engines A & B, fly ash disposal, plant roadways and fly ash storage silos. The facility is a major facility due to its potential to emit of PM10, NOx, SOx and CO. Therefore, the facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is also subject to the Compliance Assurance Monitoring Rule (CAM) found in 40 CFR Part 64. Appropriate permit conditions to address the applicable CAM requirements have been included in the permit.

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

**N04-010: CRAMCO** (2200 East Ann Street, Philadelphia, PA 19134) on January 24, 2007, to operate a furniture manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one 6.1 mmBtu/hr boiler with multicyclone and baghouse, one 9.8 mmBtu/hr boiler, one 1.1 mmBtu/hr boiler, one 350,000 Btu/hr oven with afterburner, one 2.5 mmBtu/hr curing oven, three spray booths and one baghouse to control emissions from the Wood Department.

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

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

**15-00075: Lasko Metal Products, Inc.** (820 Lincoln Avenue, West Chester, PA 19380) on January 25, 2007, to operate their facility in West Goshen Township, **Chester County**. Lasko Metal Products, Inc. is a manufacturer of home comfort and convenience products (such as, portable electric fans, humidifiers, portable heaters, Christmas tree stands, utility boxes). The permit is for a non-Title V (State-only) facility. The air emission sources at the facility include two boilers, a four-nozzle Design Spray booth, a Powered Paint Dryoff/Curing Oven, a Steelman Burnoff Oven, two spray booths and a Phosphate Parts Cleaning System. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The primary modification is to permit the use of No. 6 fuel oil as fuel for the boilers as opposed to No. 5 fuel oil.

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

**36-05007: McNeil-PPC, Inc.** (400 West Lincoln Avenue, Lititz, PA 17543-8701) on January 24, 2007, to operate a pharmaceutical manufacturing facility in Lititz Borough, **Lancaster County**. This operating permit was administratively amended due to a change of ownership. This is revision No. 1.

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

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

**63-00909: GE Ionics, Inc.** (P. O. Box 560, 30 Curry Avenue, Canonsburg, PA 15317) De minimis emission increase of 1.0 ton NOx and 0.6 ton PM10 per year resulting from the installation of a new plasma cutting table on or about February 9, 2007, at the Ionics Canonsburg Plant located in Canonsburg Borough, **Washington 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

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

**Permit No. 11970101 and NPDES No. PA0234389. E. P. Bender Coal Company, Inc.,** (P. O. Box 594, Carrolltown, PA 15722). Permit renewal for reclamation only of a bituminous surface and auger mine in Reade Township, **Cambria County**, affecting 93.0 acres. Receiving streams: Powell Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 5, 2007. Permit issued: January 24, 2007.

**Permit No. 56960109 and NPDES No. PA0234273. Croner, Inc.,** (P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541). Permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 110.9 acres. Receiving streams: UNT to Blue Lick Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 9, 2007. Permit issued: January 24, 2007.

**Permit No. 32040104 and NPDES No. PA0249629. KMP Associates, Inc.,** (1094 Lantz Road, Avonmore, PA 15618). Permit revision of an existing bituminous surface and coal refuse reprocessing mine to mine through and reconstruct Township Road 332 in Young Township, **Indiana County**, affecting 40.5 acres. Receiving streams: UNT to Whiskey Run to Blackleggs Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 30, 2006. Permit issued: January 23, 2007.

**Permit No. 11010102 and NPDES No. PA0249009. E. P. Bender Coal Company, Inc.,** (P. O. Box 594, Carrolltown, PA 15722). Permit renewal for reclamation only of a bituminous surface mine in Reade Township, **Cambria County**, affecting 102.0 acres. Receiving streams: Fallentimber Run and Powell Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 5, 2007. Permit issued: January 24, 2007.

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

**03990107 and NPDES Permit No. PA0202622. AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650). Revision to add stream crossing for a UNT to Limestone Run to an existing bituminous surface mine, located in East Franklin and Washington Townships, **Armstrong County**, affecting 263.8 acres. Receiving streams: UNTs to Limestone Run. Revision application received: December 6, 2006. Permit issued: January 19, 2007.

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

**33910107. Original Fuels, Inc.,** (P. O. Box 343, Punxsutawney, PA 15767). Revision to an existing bituminous strip and auger operation to change the postmining landuse from forestland to pastureland on the James R. Thomas property in Beaver Township, **Jefferson County**. Receiving streams: UNT to Red Run and UNT to Tarkiln Run. Application received: November 22, 2006. Permit Issued: January 24, 2007.

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

**40900203R3. Northampton Fuel Supply Co., Inc.,** (1 Horwith Drive, Northampton, PA 18067). Renewal of an existing anthracite coal refuse reprocessing operation in Newport Township, **Luzerne County** affecting 49.5 acres, receiving stream: none. Application received April 6, 2006. Renewal issued: January 24, 2007.

#### *Noncoal Permit Actions*

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

**08060811. Charles H. God, II** (R. R. No. 1, Box 95D, Stevensville, PA 18845). Commencement, operation and restoration of a small, noncoal (bluestone/flagstone) surface mine in Pike Township, **Bradford County**, affecting 5.0 acres. Receiving streams: UNT to Rockwell Creek, classified for the following use: WWF. Application received: July 27, 2006. Permit issued: January 8, 2007.

**08060814. Harry Silvers** (P. O. Box 13, Burlington, PA 18814). Commencement, operation and restoration of a small, noncoal (flagstone) surface mine in Terry Township, **Bradford County**, affecting 1.0 acre. Receiving streams: Susquehanna River, tributary to Chesapeake. Application received: August 29, 2006. Permit issued: January 12, 2007.

**17060301. Edward C. Griffith Quarrying, Inc.** (14472 Route 119 Highway North, Rochester Mills, PA 15771). Commencement, operation and restoration of a large industrial minerals (sandstone) permit in Bell Township, **Clearfield County**, affecting 165.0 acres. Receiving streams: UNT to Bear Run and Bear Run to the West Branch Susquehanna River classified for the follow-

ing use: CWF. Application received: December 27, 2005. Permit issued: January 18, 2007.

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

**8074SM2C5 and NPDES Permit No. PA0012904. Highway Materials, Inc.,** (1750 Walton Road, Blue Bell, PA 19422). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Whitmarsh Township, **Montgomery County**, receiving stream: Lorraine Run. Application received: November 8, 2006. Renewal issued: January 24, 2007.

**4875SM1A1C4 and NPDES Permit No. PA0612227. Glen-Gery Corporation,** (P. O. Box 7001, Wyomissing, PA 19601). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in York Township, **York County**, receiving stream: UNT to Mill Creek. Application received: December 11, 2006. Renewal issued: January 24, 2007.

**06980301C2. Highway Materials, Inc.,** (1750 Walton Road, Blue Bell, PA 19422). Correction to an existing quarry operation in Alsace Township, **Berks County** affecting 52.5 acres, receiving stream: UNT to Bernhart Creek. Application received: September 15, 2005. Correction issued: January 25, 2007.

#### **ABANDONED MINE RECLAMATION**

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

Bond Forfeiture	PBF 17850102.1
Contract Awarded	
Location	Woodward Township <b>Clearfield County</b>
Description	Act 181, Bond Forfeiture Reclamation, Erickson-Excelsior and Erickson-Mascot Mines, Power Operating Co., Inc., Permit No. 17850102 (Excelsior) and 17830132 (Mascot)
Contractor	Larry Baumgardner Coal Company, Inc. Lance, PA 16849
Amount	\$36,864.00
Date of Award	January 26, 2007

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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

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

**28074101. David H. Martin Excavating, Inc.,** (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for commercial development in Chambersburg Borough, **Franklin County**. Blasting activity permit end date is January 11, 2008. Permit issued: January 17, 2007.

**21074101. Dyno Nobel, Inc.**, (1320 Galiffa Drive, Donora, PA 15033). Blasting activity permit issued for residential development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is January 30, 2008. Permit issued: January 17, 2007.

**21074102. Dyno Nobel, Inc.**, (1320 Galiffa Drive, Donora, PA 15033). Blasting activity permit issued for cemetery development in Lower Allen Township, **Cumberland County**. Blasting activity permit end date is January 30, 2008. Permit issued: January 17, 2007.

**28074102. David H. Martin Excavating, Inc.**, (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for pipeline development in Antrim Township, **Franklin County**. Blasting activity permit end date is January 17, 2008. Permit issued: January 18, 2007.

**28074103. M & J Explosives, Inc.**, (P. O. Box 608, Carlisle, PA 17013-0608). Blasting activity permit issued for commercial development in Greencastle Borough, **Franklin County**. Blasting activity permit end date is December 31, 2007. Permit issued: January 18, 2007.

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

**37074001. Joseph B. Fay Co.** (145 Burkey Road, Enon Valley, PA 16120). Blasting activity permit to design and build a roadway and bridge reconstruction in Little Beaver Township, **Lawrence County**. This blasting activity permit will expire on September 1, 2007. Application received: January 17, 2007. Application issued: January 22, 2007.

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

**14074002. Stone Valley Construction** (P. O. Box 369, Pine Grove Mills, PA 16868). Construction blasting for Dickinson School of Law—Penn State, University Park, College Township, **Centre County**. Permit issued: January 24, 2007. Permit expires: January 18, 2008.

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

**36074104. Gerlach's Drilling and Blasting**, (172 Bender Mill Road, Lancaster, PA 17603). Construction blasting for Veolia Sewer Main in Elizabethtown Borough and Mt. Joy Township, **Lancaster County** with an expiration date of January 15, 2008. Permit issued: January 22, 2007.

**39074103. Schlouch, Inc.**, (P. O. Box 69, Blandon, PA 19510). Construction blasting for Park Ridge Development in South Whitehall Township, **Lehigh County** with an expiration date of January 23, 2008. Permit issued: January 23, 2007.

**67074106. Newville Construction Services, Inc.**, (408 Mohawk Road, Newville, PA 17241). Construction blasting for Whispering Run Sewer Expansion in Penn Township, **York County** with an expiration date of January 19, 2008. Permit issued: January 24, 2007.

**09074102. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092). Construction blasting for Parkside Estates in Milford Township, **Bucks County** with an expiration date of December 31, 2007. Permit issued: January 25, 2007.

**36074105. Warren's Excavating and Drilling, Inc.**, (P. O. Box 1022, Honey Brook, PA 19344). Construction blasting for Willow Bend Farms in West Lampeter Township, **Lancaster County** with an expiration date of January 24, 2008. Permit issued: January 25, 2007.

**36074106. Warren's Excavating and Drilling, Inc.**, (P. O. Box 1022, Honey Brook, PA 19344). Construction blasting for Arbor Rose Development in Mt. Joy Borough, **Lancaster County** with an expiration date of January 24, 2008. Permit issued: January 25, 2007.

**36074107. Warren's Excavating and Drilling, Inc.**, (P. O. Box 1022, Honey Brook, PA 19344). Construction blasting for Cheltenham Court in Manheim Township, **Lancaster County** with an expiration date of January 24, 2008. Permit issued January 25, 2007.

**36074108. Warren's Excavating and Drilling, Inc.**, (P. O. Box 1022, Honey Brook, PA 19344). Construction blasting for Westwood Green in Manor Township, **Lancaster County** with an expiration date of January 24, 2008. Permit issued: January 25, 2007.

**39074102. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092). Construction blasting for Whitfield Estates in Upper Macungie Township, **Lehigh County** with an expiration date of May 31, 2008. Permit issued: January 25, 2007.

**26074001. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting at Timson Place in Manor Township, **Lancaster County** with an expiration date of December 31, 2007. Permit issued January 25, 2007.

**40074103. Austin Powder Company**, (25800 Science Park Drive, Cleveland, OH 44122). Construction blasting for the Junior Achievement Center in Pittston City, **Luzerne County** with an expiration date of January 23, 2008. Permit issued: January 26, 2007.

**67074001. PACT Construction, Inc.**, (P. O. Box 74, Ringoes, NJ 08551). Construction blasting for the Fox Farm Interceptor in Newberry Township, **York County** with an expiration date of January 24, 2008. Permit issued: January 26, 2007.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

(800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E46-766. Manufacturers Golf and Country Club**, 511 Dreshertown Road, Fort Washington, PA 19034, Upper Dublin Township, **Montgomery County**, ACOE Philadelphia District. To amend a previous issued permit, Permit No. E46-766, for the modification of the cross section of the 100-year floodway along Sandy Run (TSF) by excavating near hole Nos. 10 and 17 at the Manufacturers Golf Course as part of an effort to restore a 300-foot segment of stream with natural channel design techniques. Also, to operate and maintain a footbridge across Sandy Run (WWF) and a 90-foot long retaining wall along Sandy Run (WWF) near the 18th fairway. This project is located approximately 2,000 feet east of the intersection of Twining Road and SR 152 (Ambler, PA USGS Quadrangle N: 0.25 inch, W: 6.4 inches). The issuance of this permit also constitutes approval of a Water Quality Certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

**E50-234: Department of Transportation, District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699 in Carroll Township, **Perry County**, ACOE Baltimore District. To (1) remove the existing two-lane, three-span, bridge having a total span of 120 feet, a width of 25 feet and an underclearance of approximately 18 feet; and (2) construct and maintain a two-span bridge having a total span of approximately 232 feet, a width of 48 feet and a minimum underclearance of approximately 16 feet carrying SR 0034 over Sherman Creek (WWF) at a point approximately 1,300 feet south of the intersection of SR

2001 (Windy Hill Road) and SR 0034 (Shermans Dale, PA Quadrangle N: 13.3 inches; W: 6.2 inches, Latitude 40° 19' 24"; Longitude: 77° 10' 09") in Carroll Township, Perry County. This permit also authorizes the installation of a temporary causeway for the purpose of constructing the new bridge and removing the old bridge. The applicant is required to provide 0.26 acre of replacement PEM wetland.

**E22-508: Hershey Trust Company**, Trustee for Milton Hershey School, 100 East Mansion Road, Hershey, PA 17033, Derry Township, **Dauphin County**, ACOE Baltimore District. To construct and maintain a 88-foot 2.5-inch long by 24-foot span by 6-foot underclearance concrete arch bridge over a UNT to Swatara Creek (WWF) for the purpose of providing access to the proposed Hershey Center for Applied Research located just west of Bullfrog Valley Road (Hershey, Quadrangle: Latitude: 40° 15' 46" Longitude: 76° 41' 12", N: 2.3 inches, W: 8.5 inches) in Derry Township, Dauphin County.

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

**E18-415. Rocky A. Snyder**, Box 77 Woolrich, PA 17779. Water Obstruction and Encroachment Joint Permit Application, in Dunstable Township, **Clinton County**, ACOE Baltimore District (Lock Haven, PA Quadrangle N: 14.45 inches; W: 3.65 inches). To construct and maintain a 48" smooth-lined plastic pipe culvert, which will be used as an access to a private home, 3.5 miles west of Woolrich on SR 1003. This project proposes to permanently impact 20 linear feet on Little Plum Run, which is designated a HQ-CWF stream and does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E02-1547. Department of Transportation**, 45 Thoms Run Road, Bridgeville, PA 15071. To construct a bridge in North Fayette Township, **Allegheny County**, Pittsburgh ACOE District. (Oakdale, PA Quadrangle N: 7.9 inches; W: 10.7 inches and Latitude: 40° 25' 07"—Longitude: 80° 12' 04"). To construct and maintain a 48 foot wide, 66 foot long single span bridge with an underclearance of 6.67 feet to replace the existing SR 978, 25 foot wide, 45 foot long, single span bridge with an underclearance of 6.12 feet over the North Branch Robinson Run (WWF) with a drainage area of 10.7 square miles; construct and maintain associated rip rap scour protection; and to construct and maintain adjoining stormwater outfalls. The replacement bridge will be constructed downstream and adjacent to the existing bridge. The project is located approximately 3 miles northwest of the center of the Borough of Oakdale.

**E56-339. Highlands Development Group, Inc.**, 608 Westland Drive, Greensburg, PA 15601. To place fill in wetland and construct a hotel and water park in Somerset Township, **Somerset County**, Pittsburgh ACOE District. (Somerset, PA Quadrangle N: 3.25 inches; W: 11.8 inches and Latitude: 40° 01' 02"—Longitude: 79° 05' 07"). To place and maintain fill in approximately 0.37

acre of wetland (PEM) within the watershed of a UNT to East Branch Coxes Creek (WWF) to construct a proposed hotel and water park and associated parking. The applicant has made a contribution of \$5,000 to the Pennsylvania Wetland Replacement Project, to compensate for the impacts to wetlands.

**E56-341. Department of Transportation**, District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. To construct a bridge in the Borough of Rockwood, Milford Township, **Somerset County**, Pittsburgh ACOE District. (Murdock, PA Quadrangle N: 13.4 inches; W: 15.2 inches and Latitude: 39° 56' 55"—Longitude: 79° 06' 32"). To construct and maintain a 35.38 ft. wide, 73.25 ft. long, single span bridge with an underclearance of 9.68 ft. to replace the existing SR 3010, 26 ft. wide, 68.85 ft. long, single span bridge with an underclearance of 9.68 ft. over Coxes Creek (WWF) with a drainage area of 47.45 square miles; place and maintain fill in 0.05 acre of adjacent wetlands along the eastern bridge approach road; and relocate and maintain 100 ft. of UNT along the eastern bridge approach road. The project is located approximately 3.5 miles northeast of the center of the Borough of Rockwood.

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

**E10-415. Kaclik Development Associates, LP**, 215 Executive Drive, Suite 200, Cranberry Township, PA 16066. The Shoppes at Heritage Creek commercial development, in Adams Township, **Butler County**, ACOE Pittsburgh District. (Butler, PA Quadrangle N: 40° 41' 44"; W: 80° 02' 17"). To relocate and restore approximately 325 feet of a tributary to Kaufman Run for the construction of a commercial development, driveways and parking lots, south of Route 228 in Adams Township. A 100-foot, 24-inch diameter culvert, an 84-foot long, 24-inch diameter culvert and several utility crossings will be installed and maintained in the tributary, which has a drainage area of less than 100 acres.

**E10-420. Grace Community Church**, P. O. Box 2467, Cranberry Township, PA 16066. Church expansion in Cranberry Township, **Butler County**, ACOE Pittsburgh District. (Baden, PA Quadrangle N: 40° 40' 57"; W: 80° 08' 08"). To include the following activities as part of the expansion of the Grace Community Church:

1. To install and maintain a precast Con/Span arch culvert with a 20-feet by 6-feet waterway opening and having a length of 75-feet, with associated fill in a tributary to Brush Creek (WWF) for a new access driveway.

2. To realign approximately 165 feet of the stream channel and fill an adjoining de minimis (0.022 acre) area of wetland (PEM/PSS) for the expansion of the existing parking lot and associated grading.

3. To relocate and maintain an 8-inch diameter sanitary sewer line across the tributary to Brush Creek (WWF).

4. To expand the existing stormwater detention basin disturbing a portion of an adjoining de minimis (0.009 acre) area of wetland (PEM).

5. To construct and maintain a 12-foot by 6-foot wooden footbridge over a drainage swale having a drainage area of less than 100 acres.

**E10-422. FPS Construction, Inc.**, 120 Frankstowne Lane, Butler, PA 16002. Adams Township, **Butler County**, ACOE Pittsburgh District. To install and maintain a 60-foot long, 83-inch by 128-inch arch culvert pipe in Robinson Run (CWF) with associated fill to construct a private driveway. A de minimis amount of wetland (0.017 acre) will be filled in association with the installation of the culvert. (Butler, PA Quadrangle N: 40° 45' 37"; W: 79° 54' 54").

**E25-710. Girard Township Supervisors**, 10140 Ridge Road, Girard, PA 16417. T-544 Elk Park Road over Elk Creek, in Girard Township, **Erie County**, ACOE Pittsburgh District (Fairview, PA Quadrangle N: 1.1 inches; W: 14.1 inches). The applicant proposes to remove the existing structure and to construct and maintain a single span precast, prestressed concrete I girder bridge having a clear span of 123.5 feet and an underclearance of 16.09 feet on a 90° skew across Elk Creek on T-544 (Elk Park Road) 1.32 miles SW of the intersection of SR 5 and SR 18. Project includes riprap rock protection of abutments. Elk Creek is a perennial stream classified as a migratory fishery and WWF. The project proposes to impact approximately 120 feet of stream.

**E43-330. Grove City Properties, LP**, Springfield Towne Centre, in Springfield Township, **Mercer County**, ACOE Pittsburgh District (Mercer, PA Quadrangle N: 3.9 inches; W: 3.74 inches). The applicant proposes to construct the Springfield Towne Center, a commercial retail facility to consist of a 192,000 square-foot Wal-Mart Supercenter, 32,000 square-foot shops, a future fuel station and two 1-acre outparcels in Springfield Township, Mercer County, approximately 500 feet east of the intersection of the northbound Interstate I-79 entrance ramp and SR 208 on the north side of SR 208 (Mercer, PA Quadrangle N: 3.9 inches; W: 3.74 inches) in Springfield Township. The project involves: 1) to fill 0.68 acre of PEM/PSS/PFO/POW wetlands; 2) to fill 270 linear feet of a UNT to Black's Run, a perennial stream classified as WWF; and 3) to create 1.95 acres of new wetlands onsite. The project proposes to directly impact 0.68 acre of PEM/PSS/PFO/POW wetlands and 270 feet of a UNT to Black's Run and to create 1.95 acres of new wetlands on site.

**E43-331. Mercer County**, 503 Mercer County Courthouse, Mercer, PA 16137. County Bridge 1502 on McCarty Road over Pine Run, in Fairview Township, **Mercer County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 41° 11' 12"; W: 80° 03' 52"). To remove the existing structure and install and maintain a precast box culvert having a waterway opening of 14 feet by 5 feet and a length of 40 feet across Pine Run on T-691. The project will impact .13 acre of wetland (PEM, PSS1, PFO1) during construction, with permanent impacts of .033 acre of wetland.

**E43-332. Mercer County**, 503 Mercer County Courthouse, Mercer, PA 16137. County Bridge 2811 on Riggs Road over Little Deer Creek, in Shenango Township, **Mercer County**, ACOE Pittsburgh District (Sharon West, PA Quadrangle N: 41° 08' 17"; W: 80° 30' 36"). To remove the existing structure and install and maintain a prestressed concrete adjacent box beam bridge with a waterway opening of 28 feet by 3.17 feet and a length 24.75 feet, across Little Deer Creek on T-301. The project will impact 0.089 acre of wetland (PEM, PSS1, PFO1) during construction, with permanent impacts of 0.029 acre of wetland.

**E43-333, Department of Transportation, District 1-0**, P. O. Box 398, Oil City, PA 16301. SR 0718, Segment 0120, Offset 0774 Across Shenango River (WWF), in City of Sharon, **Mercer County**, ACOE Pittsburgh District (Sharon West, PA Quadrangle N: 19.7 inches; W: 1.2 inches). To remove the existing structure and to construct a temporary causeway and to construct and maintain a steel plate girder bridge having two spans of 102 feet centerline of bearing to centerline of bearing and an average underclearance of 19.0 feet on a 90° skew across the Shenango River on SR 0718 (State Street), Segment 0120, Offset 0774 in downtown Sharon.

**E43-334, Mercer County**, 503 Mercer County Courthouse, Mercer, PA 16137. County Bridge 3108 on Diamond Road over a tributary to Wolf Creek, in Pine Township, **Mercer County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 41° 11' 12"; W: 80° 03' 18"). To remove the existing structure and install and maintain a prestressed concrete adjacent box beam bridge with a waterway opening of 25 feet by 5.25 feet and a length of 24 feet, across a tributary to Wolf Creek (WWF) on T-878. The project will impact 0.116 acre of wetland (PEM, PSS1, PFO1). Applicant proposes contribution to the Pennsylvania Wetland Replacement Fund for compensation for the 0.116 acre of wetland impact.

**E43-335, Mercer County**, 503 Mercer County Courthouse, Mercer, PA 16137. County Bridge 3116 on Chestnut Street over Wolf Creek, in Grove City Borough, **Mercer County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 41° 09' 48"; W: 80° 04' 50"). To remove the existing structure and install and maintain a two span continuous multigirder bridge with one pier located at mid-span, with a waterway opening of 298 feet by 15.55 feet and a length of 24 feet, across Wolf Creek (CWF) on Chestnut Street. A temporary crossing with 10, four-foot diameter corrugated metal pipes, spaced 6 feet apart at a total length of 60-feet will be installed for removing the existing structure. The project proposes to impact approximately 135 feet of stream. No wetland impacts are proposed with this project.

#### ENVIRONMENTAL ASSESSMENTS

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

**D54-016EA. Borough of Shenandoah**, P. O. Box 110, Raven Run Road, Shenandoah, PA 17976-0110. West Mahanoy Township, **Schuylkill County**, ACOE Baltimore District. To breach and remove the Kehly Run Reservoir No. 2 Dam across Kehly Run (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 2,400 feet south-east of the intersection of SR 924 and T788 (Shenandoah, PA Quadrangle N: 1460 inches; W: 9.65 inches).

**D54-017EA. Borough of Shenandoah**, P. O. Box 110, Raven Run Road, Shenandoah, PA 17976-0110. West Mahanoy Township, **Schuylkill County**, ACOE Baltimore District. To breach and remove the Kehly Run Reservoir No. 3 Dam across Kehly Run (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 2,200 feet south-east of the intersection of SR 924 and T788 (Shenandoah, PA Quadrangle N: 14.70 inches; W: 9.65 inches).

**D54-018EA. Borough of Shenandoah**, P. O. Box 110, Raven Run Road, Shenandoah, PA 17976-0110. West Mahanoy Township, **Schuylkill County**, ACOE Baltimore District. To breach and remove the Kehly Run Reservoir No. 4 Dam across Kehly Run (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 400 feet southwest of the intersection of SR 924 and T788 (Shenandoah, PA Quadrangle N: 15.75 inches; W: 10.20 inches).

**D54-019EA. Borough of Shenandoah**, P. O. Box 110, Raven Run Road, Shenandoah, PA 17976-0110. West Mahanoy Township, **Schuylkill County**, ACOE Baltimore District. To breach and remove the Kehly Run Reservoir No. 5 Dam across Kehly Run (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 700 feet northwest of the intersection of SR 924 and T788 (Shenandoah, PA Quadrangle N: 15.90 inches; W: 10.35 inches).

**D54-020CO. Borough of Shenandoah**, P. O. Box 110, Raven Run Road, Shenandoah, PA 17976-0110. West Mahanoy and Union Townships, **Schuylkill County**, ACOE Baltimore District. To breach and remove the Kehly Run Reservoir No. 6 Dam across Kehly Run (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 1,200 feet northwest of the intersection of SR 924 and T788 (Shenandoah, PA Quadrangle N: 16.20 inches; W: 10.45 inches).

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504 and 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.**

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
07-30-001	Fuchs Lubricants Co. P. O. Box 450 801 Roy Furman Highway Waynesburg, PA 15370 Attn: Christian Bigelow	Greene	Waynesburg Borough	4 ASTs storing hazardous substances with petroleum	40,000 gallons total capacity

[Pa.B. Doc. No. 07-207. Filed for public inspection February 9, 2007, 9:00 a.m.]

### Availability of Technical Guidance

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

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2007.

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

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

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

#### *Changes to Technical Guidance Documents*

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

#### *Final Technical Guidance*

DEP ID: 381-5511-014 Title: Guidance on the Utilization of Disadvantaged Business Enterprise (DBE) Firms for Participation under the Clean Water and Drinking Water State Revolving Fund Loan Programs. Description: This guidance provides Department staff and loan program borrowers specific information on steps to be taken to meet mandated Federal procedures for the solicitation of Minority and Women's Business enterprise firms for participation in the construction of sewage, stormwater and drinking water projects funded under the Clean Water and Drinking Water State Revolving fund loan programs. Substantive revisions were made to the guidance to update Disadvantaged Business Enterprise (DBE) firm source list website addresses, to add several forms to assist construction contractors with DBE firm solicitation efforts and to revise the Department's review checklist. Notice for public comment on the substantive revisions to the guidance was published at 36 Pa.B. 6159 (October 7, 2006). During the 30-day public comment period, the Department did not receive any public comments on the draft technical guidance. No changes have been made to the guidance from its draft form, issued on October 7, 2006.

Contact: Tony Maisano, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, Rachel Carson State Office Building, 11th Floor, P. O. Box 8467, Harrisburg, PA 17105-8467; (717) 787-0122; [amaisano@state.pa.us](mailto:amaisano@state.pa.us). Effective Date: February 10, 2007

#### *Draft Technical Guidance—Substantive Revision*

DEP ID: 562-3000-802. Title: Coal Mining Applicant Violator System (AVS) Compliance Manual. Description: The AVS is a National computer system managed by the Federal Office of Surface Mining Reclamation and En-

forcement to track coal mining permit information and permittee ownership and control information for the states where coal is mined. The system also tracks violation information such as outstanding Federal violations, unpaid Federal Civil Penalties and Reclamation Fees, and outstanding State Failure to Abate Cessation Orders and Civil Penalties. Prior to the issuance of a coal mining activities permit, the Department's District Mining Office must conduct a compliance check through the AVS, as well as the Department's mainframe computer system, to ensure that there are no outstanding violations, civil penalties or reclamation fees for that company. In addition, prior to the issuance, renewal or amendment of a surface coal mining license, the Department's Bureau of Mining and Reclamation must conduct a compliance check through the AVS, as well as the Department's mainframe computer system, to ensure there are no outstanding Order, Cessation Orders, Consent Order and Agreements or Decrees, or Bond Forfeiture Declarations. This guidance provides the procedures the Department will use for conducting the compliance checks referenced above. Previously, the guidance pertained only to the issuance of coal mining permits. Substantive revisions were recently made to the guidance to provide provisions that now make the guidance also applicable for conducting compliance checks of surface coal mining operations prior to the issuance of a new mine operator license, a mine operator license renewal, or mine operator license amendment.

*Written Comments:* The Department is seeking comments on the substantive revisions to technical guidance #562-3000-802. Interested persons may submit written comments on this draft technical guidance document by March 12, 2007. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Bruce Carl, Department of Environmental Protection, Bureau of Mining and Reclamation, P. O. Box 8461, 5th Floor, Rachel Carson State Office Building, Harrisburg, PA 17105-8461, [brcarl@state.pa.us](mailto:brcarl@state.pa.us).

Contact: Questions regarding the draft technical guidance document should be directed to Carl at (717) 787-5103, [brcarl@state.pa.us](mailto:brcarl@state.pa.us). Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-208. Filed for public inspection February 9, 2007, 9:00 a.m.]

### Proposed Revision to the State Implementation Plan for the Youngstown-Warren-Sharon, OH-PA 8-Hour Ozone Nonattainment Area; Public Hearing

Ground-level ozone concentrations above the Federal health-based standard are a serious human health threat and can also cause damage to crops, forests and wildlife. The Youngstown-Warren-Sharon, OH-PA 8-hour Ozone Nonattainment Area has met the health-based National ambient air quality standard for ozone based on 2003—2005 concentrations. Therefore, the Department of Environmental Protection (Department) plans to submit a request to the United States Environmental Protection Agency (EPA) to redesignate the Pennsylvania portion of this nonattainment area to attainment of the 8-hour



ozone National ambient air quality standard. The Department is seeking public comment on the 8-hour ozone redesignation request, the 2002 base year inventory and a State Implementation Plan revision setting forth a Maintenance Plan demonstrating that the area can maintain the health-based ozone standard for the next 10 years as required under section 175A(a) of the Federal Clean Air Act (42 U.S.C.A. § 7505a). The Maintenance Plan, once approved by the EPA, will also establish new motor vehicle emission budgets for purposes of transportation conformity.

This proposal is available on the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (choose "Air Topics") or through the contact persons listed.

The Department will hold a public hearing to receive comments on the proposals on Wednesday, March 14, 2007, at 1 p.m. at the offices of the Mercer County Regional Planning Commission, 2491 Highland Road, Hermitage, PA 16148. Persons wishing to present testimony at the hearing should contact Yvette House, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495 or [yhouse@state.pa.us](mailto:yhouse@state.pa.us) to reserve a time. Persons who do not reserve a time will be able to testify as time allows. Witnesses should keep testimony to 10 minutes and should provide two written copies of their statement at the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Yvette House at (717) 787-9495 or [yhouse@state.pa.us](mailto:yhouse@state.pa.us). TDD users may contact the AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than March 16, 2007. Written comments should be sent to the attention of J. Wick Havens, Chief, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, [jhavens@state.pa.us](mailto:jhavens@state.pa.us). Use "Mercer Ozone SIP" as the mail addressee or in the subject line.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-209. Filed for public inspection February 9, 2007, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Request for Information

The Commonwealth is seeking proposals from qualified organizations or individuals with an interest in utilizing the approximately 1,780 acres comprising the current Graterford Pennsylvania State Correctional Campus located in the suburbs of Philadelphia. The purpose of this request is to determine if any interest exists to privatize the construction of two new 2,000 bed facilities (one maximum-security and one medium-security) and approvals to construct an additional 2,000 bed medium-security facility to be located in eastern Pennsylvania within a 50-mile radius of the existing Graterford campus, in exchange for all or part of the Graterford real estate. The Commonwealth plans to review all proposals that would effectively fund the necessary construction previously

mentioned. The Commonwealth wishes to remain flexible and encourages interested parties to present any unique strategies that may accomplish the listed objective. Any potential agreement will be contingent on legislation.

For more information on Proposal No. RFI-BRE-2007-1, which is due on March 5, 2007, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call (717) 787-5546.

JAMES P. CREEDON,  
*Secretary*

[Pa.B. Doc. No. 07-210. Filed for public inspection February 9, 2007, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Glittering Diamonds Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Glittering Diamonds.

2. *Price:* The price of a Pennsylvania Glittering Diamonds instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Glittering Diamonds instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: Balloon symbol (BALLOON), Cabbage symbol (CABBAGE), Cake symbol (CAKE), Candy symbol (CANDY), Car symbol (CAR), Cash symbol (CASH), Chest symbol (CHEST), Coins symbol (COINS), Cookie symbol (COOKIE), Crown symbol (CROWN), Emerald symbol (EMERALD), Gift symbol (GIFT), Gold Bar symbol (GBAR), Heart symbol (HEART), House symbol (HOUSE), Money Bag symbol (MNYBAG), Money symbol (MONEY), Moon symbol (MOON), Necklace symbol (NCKLACE), Piggy Bank symbol (PIGBNK), Pot of Gold symbol (PTGOLD), Rabbit Foot symbol (RBTF), Ring symbol (RING), Rainbow symbol (RNBOW), Rose symbol (ROSE), 7 symbol (SEVEN), Horse Shoe symbol (SHOE), Shamrock symbol (SHROCK), Star symbol (STAR), Sun symbol (SUN), Wish Bone symbol (WBONE) and 10X symbol (10TIMES).

4. *Prize Symbols:* The prize symbols and their captions, located in the 15 "prize" areas are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$25,000 (TWYFIVTHO), \$250,000 (TWHNFYTH) and \$500,000 (FIVHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$50, \$100, \$500, \$1,000, \$10,000, \$25,000, \$250,000 and \$500,000. The player can win up to 15 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Glittering Diamonds instant lottery game.

7. *Determination of Prize Winners:*

- (a) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$500,000 (FIVHUNTHO) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$500,000.
- (b) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$250,000 (TWHNFYTH) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$250,000.
- (c) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$25,000 (TWYFIVTHO) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$25,000.
- (d) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$10,000 (TEN THO) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$10,000.
- (e) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$1,000 (ONE THO) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$1,000.
- (f) Holders of tickets with a Necklace (NCKLACE) play symbol, and a prize symbol of \$50\$ (FIFTY) appears in ten of the "prize" areas, and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas on a single ticket, shall be entitled to a prize of \$1,000.
- (g) Holders of tickets with a 10X (10TIMES) play symbol, and a prize symbol of \$100 (ONE HUN) appearing in the "prize" area to the right of that 10X (10TIMES) play symbol, on a single ticket, shall be entitled to a prize of \$1,000.
- (h) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$500 (FIV HUN) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$500.
- (i) Holders of tickets with a Necklace (NCKLACE) play symbol, and a prize symbol of \$25\$ (TWY FIV) appears in ten of the "prize" areas, and a prize symbol of \$50\$ (FIFTY) appears in five of the "prize" areas on a single ticket, shall be entitled to a prize of \$500.
- (j) Holders of tickets with a 10X (10TIMES) play symbol, and a prize symbol of \$50\$ (FIFTY) appearing in

the "prize" area to the right of that 10X (10TIMES) play symbol, on a single ticket, shall be entitled to a prize of \$500.

- (k) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$100 (ONE HUN) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$100.
- (l) Holders of tickets with a Necklace (NCKLACE) play symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the "prize" areas, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the "prize" areas on a single ticket, shall be entitled to a prize of \$100.
- (m) Holders of tickets with a 10X (10TIMES) play symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appearing in the "prize" area to the right of that 10X (10TIMES) play symbol, on a single ticket, shall be entitled to a prize of \$100.
- (n) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$50\$ (FIFTY) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$50.
- (o) Holders of tickets with a 10X (10TIMES) play symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appearing in the "prize" area to the right of that 10X (10TIMES) play symbol, on a single ticket, shall be entitled to a prize of \$50.
- (p) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$25\$ (TWY FIV) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$25.
- (q) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$20\$ (TWENTY) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$20.
- (r) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$10.
- (s) Holders of tickets with a Ring (RING) play symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appearing in the "prize" area to the right of that Ring (RING) play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Find A Ring Symbol, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$5 × 2	\$10	28.57	336,000
\$10	\$10	13.64	704,000
\$5 × 4	\$20	60	160,000
\$10 × 2	\$20	60	160,000
\$20	\$20	30	320,000
\$5 × 5	\$25	60	160,000
\$5 × 3 + \$10	\$25	60	160,000
\$25	\$25	60	160,000
\$5 × 10	\$50	300	32,000
\$10 × 5	\$50	600	16,000
\$25 × 2	\$50	600	16,000
\$5 w/10X	\$50	200	48,000
\$50	\$50	200	48,000

<i>Find A Ring Symbol, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$10 × 10	\$100	480	20,000
\$50 × 2	\$100	480	20,000
\$10 w/10X	\$100	480	20,000
NECKLACE w/\$5 × 10 + \$10 × 5	\$100	480	20,000
\$100	\$100	480	20,000
\$50 × 10	\$500	6,000	1,600
\$100 × 5	\$500	6,000	1,600
\$50 w/10X	\$500	6,000	1,600
\$500	\$500	6,000	1,600
NECKLACE w/\$25 × 10 + \$50 × 5	\$500	6,000	1,600
\$100 × 10	\$1,000	17,143	560
\$500 × 2	\$1,000	17,143	560
NECKLACE w/\$50 × 10 + \$100 × 5	\$1,000	17,143	560
\$100 w/10X	\$1,000	17,143	560
\$1,000	\$1,000	17,143	560
\$10,000	\$10,000	240,000	40
\$25,000	\$25,000	240,000	40
\$250,000	\$250,000	960,000	10
\$500,000	\$500,000	960,000	10

10X (10TIMES) = Win 10 times the prize shown to the right of that symbol.  
 NECKLACE (NCKLACE) = Win all 15 prizes shown automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Glittering Diamonds instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Glittering Diamonds, prize money from winning Pennsylvania Glittering Diamonds instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Glittering Diamonds instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

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

GREGORY C. FAJT,  
Secretary

[Pa.B. Doc. No. 07-211. Filed for public inspection February 9, 2007, 9:00 a.m.]

### Pennsylvania Win For Life® '07 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Win For Life® '07.

2. *Price:* The price of a Pennsylvania Win For Life® '07 instant lottery game ticket is \$2.

3. *Play and Prize Play Symbols:*

(a) Each Pennsylvania Win For Life® '07 instant lottery game ticket will contain three play areas known as "Game 1," "Game 2" and "Game 3" respectively. Each game has a different game play method and is played separately. Each Pennsylvania Win For Life® '07 instant lottery game ticket will also contain a "Fast Cash Bonus" area.

(b) The prize play symbols and their captions located in the play area for "Game 1" are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and LIFE (\$1,000/WEEK).

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

(d) The play area for "Game 3" will contain a "YOUR NUMBERS" area and a "LUCKY NUMBERS" area. The play symbols and their captions located in the "YOUR NUMBERS" area and the "LUCKY NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) and 9 (NINE).

(e) The prize play symbols and the play symbol and their captions located in the "Fast Cash Bonus" area are: \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and TRY AGAIN (NO BONUS).

#### 4. Prize Symbols:

(a) The play area for "Game 2" will contain a "PRIZE" area. The prize symbols and their captions located in the "PRIZE" area for "Game 2" are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and LIFE (\$1,000/WEEK).

(b) The play area for "Game 3" will contain six "Prize" areas. The prize symbols and their captions located in the six "Prize" areas for "Game 3" are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and LIFE (\$1,000/WEEK).

5. Prizes: The prizes that can be won in "Game 1," "Game 2" and "Game 3" are: \$2, \$4, \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$500, \$1,000 and \$1,000 a week for life (\$1 million lifetime minimum). The prizes that can be won in the "Fast Cash Bonus" area are: \$4, \$5, \$10, \$20, \$25, \$40, \$50, \$100 and \$500. The player can win up to eight times on a ticket.

6. Approximate Number of Tickets Printed For the Game: Approximately 36,000,000 tickets will be printed for the Pennsylvania Win For Life<sup>®</sup> '07 instant lottery game.

#### 7. Determination of Prize Winners:

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

(1) Holders of tickets with three matching prize play symbols of LIFE (\$1,000/WEEK) in the play area, on a single ticket, shall be entitled to a prize of \$1,000 a week for life (\$1 million lifetime minimum) which will be paid by an initial cash payment of \$52,000 plus equal annual payments of \$52,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$1 million minimum has been paid to the estate of the deceased. If the winner of the Pennsylvania Win For Life<sup>®</sup> '07 prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

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

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

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

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

(6) Holders of tickets with three matching prize play symbols of \$40\$ (FORTY) in the play area, on a single ticket, shall be entitled to a prize of \$40.

(7) Holders of tickets with three matching prize play symbols of \$25\$ (TWY FIV) in the play area, on a single ticket, shall be entitled to a prize of \$25.

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

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

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

(11) Holders of tickets with three matching prize play symbols of \$4.<sup>00</sup> (FOR DOL) in the play area, on a single ticket, shall be entitled to a prize of \$4.

(12) Holders of tickets with three matching prize play symbols of \$2.<sup>00</sup> (TWO DOL) in the play area, on a single ticket, shall be entitled to a prize of \$2.

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

(1) Holders of tickets with three matching Keystone (KYSTN) play symbols in the same row, column or diagonal, and a prize symbol of LIFE (\$1,000/WEEK) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$1,000 a week for life (\$1 million lifetime minimum) which will be paid by an initial cash payment of \$52,000 plus equal annual payments of \$52,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$1 million minimum has been paid to the estate of the deceased. If the winner of the Pennsylvania Win For Life<sup>®</sup> '07 prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

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

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

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

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

(6) Holders of tickets with three matching Keystone (KYSTN) play symbols in the same row, column or diagonal, and a prize symbol of \$40\$ (FORTY) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$40.

(7) Holders of tickets with three matching Keystone (KYSTN) play symbols in the same row, column or diagonal, and a prize symbol of \$25\$ (TWY FIV) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$25.

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

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

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

(11) Holders of tickets with three matching Keystone (KYSTN) play symbols in the same row, column or diagonal, and a prize symbol of \$4.<sup>00</sup> (FOR DOL) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$4.

(12) Holders of tickets with three matching Keystone (KYSTN) play symbols in the same row, column or diagonal, and a prize symbol of \$2.<sup>00</sup> (TWO DOL) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$2.

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

(1) Holders of tickets where any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of LIFE (\$1,000/WEEK) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000 a week for life (\$1 million lifetime minimum) which will be paid by an initial cash payment of \$52,000 plus equal annual payments of \$52,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$1 million minimum has been paid to the estate of the deceased. If the winner of the Pennsylvania Win For Life® '07 prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

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

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

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

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

(6) Holders of tickets where any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$40\$ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(7) Holders of tickets where any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$25\$ (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

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

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

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

(11) Holders of tickets where any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(12) Holders of tickets where any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(d) Determination of prize winners for the "Fast Cash Bonus" are:

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

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

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

(4) Holders of tickets with a prize play symbol of \$40\$ (FORTY) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$40.

(5) Holders of tickets with a prize play symbol of \$25\$ (TWY FIV) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$25.

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

(7) Holders of tickets with a prize play symbol of \$10.<sup>00</sup> (TEN DOL) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$10.

(8) Holders of tickets with a prize play symbol of \$5<sup>.00</sup> (FIV DOL) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$5.

(9) Holders of tickets with a prize play symbol of \$4<sup>.00</sup> (FOR DOL) in the "Fast Cash Bonus" area, on a single

ticket, shall be entitled to a prize of \$4.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Fast Cash Bonus</i>	<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 36,000,000 Tickets</i>
	\$2			\$2	25	1,440,000
		\$2		\$2	25	1,440,000
			\$2	\$2	27.27	1,320,000
\$4	\$4			\$4	150	240,000
		\$4		\$4	150	240,000
			\$4	\$4	150	240,000
	\$2	\$2		\$4	150	240,000
	\$2		\$2	\$4	150	240,000
\$5			\$2 x 2	\$4	150	240,000
	\$5			\$5	150	240,000
		\$5		\$5	150	240,000
			\$5	\$5	150	240,000
\$10	\$10			\$10	250	144,000
		\$10		\$10	750	48,000
\$5	\$5			\$10	750	48,000
\$5		\$5		\$10	750	48,000
\$5			\$5	\$10	750	48,000
			\$2 x 5	\$10	750	48,000
			\$5 x 2	\$10	750	48,000
\$20	\$20			\$20	1,500	24,000
			\$10 x 2	\$20	1,500	24,000
			\$4 x 5	\$20	1,500	24,000
			\$5 x 4	\$20	1,500	24,000
\$25	\$25			\$25	1,500	24,000
		\$25		\$25	1,500	24,000
			\$25	\$25	1,500	24,000
			\$5 x 5	\$25	1,500	24,000
\$40	\$40			\$40	6,000	6,000
		\$40		\$40	6,000	6,000
			\$40	\$40	6,000	6,000
\$20	\$20			\$40	6,000	6,000
\$20		\$20		\$40	6,000	6,000
\$20			\$20	\$40	6,000	6,000
\$10	\$10	\$10	\$2 x 5	\$40	6,000	6,000
\$10	\$10	\$10	\$5 x 2	\$40	6,000	6,000
\$20			\$10 x 2	\$40	6,000	6,000
\$50	\$50			\$50	6,000	6,000
		\$50		\$50	6,000	6,000
			\$20	\$50	6,000	6,000
\$10	\$20		\$5	\$50	6,000	6,000
\$20	\$20	\$5	\$5 x 2	\$50	6,000	6,000
\$10	\$10	\$10	\$4 x 5	\$50	6,000	6,000
\$10	\$10	\$10	\$5 x 4	\$50	6,000	6,000
\$10	\$10	\$10	\$10 x 2	\$50	6,000	6,000
\$20	\$20		\$5 x 2	\$50	6,000	6,000
\$100	\$100			\$100	9,231	3,900
		\$100		\$100	9,231	3,900
			\$100	\$100	9,231	3,900
			\$50 x 2	\$100	9,231	3,900
\$500				\$500	24,000	1,500

<i>Fast Cash Bonus</i>	<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 36,000,000 Tickets</i>
	\$500			\$500	24,000	1,500
		\$500		\$500	24,000	1,500
			\$500	\$500	24,000	1,500
\$100	\$100	\$100	\$100 × 2	\$500	24,000	1,500
	\$1,000			\$1,000	120,000	300
		\$1,000		\$1,000	120,000	300
			\$1,000	\$1,000	120,000	300
			\$500 × 2	\$1,000	120,000	300
	LIFE			\$1,000/WK/LIFE	18,000,000	2
		LIFE		\$1,000/WK/LIFE	18,000,000	2
			LIFE	\$1,000/WK/LIFE	18,000,000	2

FAST CASH BONUS—Reveal prize amount from \$4 to \$500, win that prize.

GAME 1—Get 3 like amounts, win that prize. Get three “LIFE” symbols, and win \$1,000 a week for life.

GAME 2—Get three “KEYSTONE” (KYSTN) symbols in a row, column or diagonal, win prize shown.

When the prize won is “LIFE,” you win \$1,000 a week for life.

GAME 3—When any of YOUR NUMBERS match either LUCKY NUMBER, win the prize shown under the matching number. When the prize under the matching number is “LIFE,” you win \$1,000 a week for life.

Prizes, including the top prizes, are subject to availability at the time of purchase.

9. *Claiming of Prizes.* For purposes of claiming the \$1,000 a week for life prize under the Pennsylvania Win For Life® '07 game, “lifetime” for legal entities shall be defined as 20 years beginning the date the prize is claimed. Only one claimant per ticket is allowed for the \$1,000 a week for life prize.

10. *Retailer Incentive Awards.* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Win For Life® '07 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

11. *Unclaimed Prize Money.* For a period of 1 year from the announced close of Pennsylvania Win For Life® '07, prize money from winning Pennsylvania Win For Life® '07 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Win For Life® '07 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law.* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game.* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Win For Life® '07 or through normal communications methods.

GREGORY C. FAJT,  
Secretary of Revenue

[Pa.B. Doc. No. 07-212. Filed for public inspection February 9, 2007, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding Butler County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Chief Engineer for Highway Administration, Department of Transportation (Department) makes the following written finding:

The Federal Highway Administration and the Department are planning the completion of the existing half-diamond interchange located along Interstate 79 at Little Creek Road (SR 3025), within Jackson Township and Harmony Borough, Butler County. The proposed project will provide for traffic movements in the southern quadrants. The existing ramps would also be upgraded to conform with current design criteria.

An Environmental Assessment (EA) was prepared to evaluate the potential environmental impacts caused by the subject project. The Federal Highway Administration issued a Finding of No Significant Impact on January 11, 2007, determining that the proposed alternative will have no significant impact on the human environment.

The EA and supporting documentation find that there is no practicable alternative to construction of the preferred alternative, and the proposed action includes all practicable measures to minimize harm to the environment, which may result from the proposed project.

Mitigation measures will be taken to minimize harm as stipulated in the EA. The proposed project has no Section 4(f) use.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code have been considered, and it has been concluded that all reasonable planning was completed to avoid, minimize or mitigate the environmen-

tal effects that are likely to result from the construction of this project.

M. G. PATEL, P. E.  
*Chief Engineer*

[Pa.B. Doc. No. 07-213. Filed for public inspection February 9, 2007, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Model Enterprises, Inc. v. DEP; EHB Doc. No. 2007-051-L

Model Enterprises, Inc. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Rapho Township, Lancaster County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 07-214. Filed for public inspection February 9, 2007, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Transportation of Live Fish Out of Lake Erie Watershed; Temporary Changes to Fishing Regulations

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to make it unlawful to transport or cause the transport of live fish out of the Pennsylvania portion of the Lake Erie watershed. Waters included in the Pennsylvania portion of the Lake Erie watershed are Twentymile Creek, Orchard Beach Run, Sixteenmile Creek, Twelvemile Creek, Eightmile Creek, Sevenmile Creek, Sixmile Creek, Fourmile Creek, Millcreek, Cascade Creek, Walnut Creek, Trout Run, Godfrey Run, Elk Creek, Crooked Creek, Raccoon Creek, Turkey Creek, Conneaut Creek, Ashtabula Creek and their tributaries.

The Executive Director has found that this action is necessary and appropriate for the protection, preservation and management of fish. These temporary modifications will go into effect immediately and will remain in effect until January 1, 2008, unless the Commission, by appropriate action, adopts the new regulation. The Commission, under a separate notice of proposed rulemaking, will seek public comments on a permanent change to the Commission's fishing regulations.

DOUGLAS J. AUSTEN, Ph.D.  
*Executive Director*

[Pa.B. Doc. No. 07-215. Filed for public inspection February 9, 2007, 9:00 a.m.]

### 2007 Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved the additions to the list of Class A Wild Trout Streams as set forth in 36 Pa.B. 7775 (December 16, 2006). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

DOUGLAS J. AUSTEN, Ph.D.  
*Executive Director*

[Pa.B. Doc. No. 07-216. Filed for public inspection February 9, 2007, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### Financial Audit Services; Request for Proposals

The Housing Finance Agency (Agency) is issuing a Request for Proposal (RFP) to obtain the services of a certified public accounting firm to conduct a financial audit and other services for the Fiscal Years ending 2007—2010. A copy of the RFP is available on the Agency's website [www.phfa.org](http://www.phfa.org).

The Agency will accept sealed proposals until 4 p.m. on March 5, 2007. Proposals received after that time will not be considered. Detailed instructions and specifications for this invitation to propose are provided in the RFP, which may be revised, amended or supplemented prior to contract finalization. The Agency reserves the right to negotiate directly with the final selected bidders to ensure the engagement of an entity and the development of a scope of services qualified to meet its needs and objectives.

A presubmission conference is being held on February 22, 2007, by means of teleconference to address questions in advance of the submission deadline. Interested prospective bidders should contact the listed point of contact listed on the RFP to preregister for the informational session. Additional information and supplemental instructions to the RFP may be available on the Agency's website before and after the presubmission conference.



Mailed proposals should be delivered to the Housing Finance Agency, 211 North Front Street, Harrisburg, PA 17101. E-mail submissions are not acceptable. Proposals and related material will become the property of the Agency with no further obligation on the Agency's part.

BRIAN A. HUDSON,  
*Executive Director*

[Pa.B. Doc. No. 07-217. Filed for public inspection February 9, 2007, 9:00 a.m.]

### Homeowners Emergency Mortgage Assistance Program Financial Audit Services; Request for Proposals

The Housing Finance Agency (Agency), Homeowners Emergency Mortgage Assistance Program is issuing a Request for Proposal (RFP) to obtain the services of a certified public accounting firm to conduct a financial audit for the Fiscal Years ending 2007—2010. A copy of the RFP is available on the Agency's website [www.phfa.org](http://www.phfa.org).

The Agency will accept sealed proposals until 4 p.m. on March 5, 2007. Proposals received after that time will not be considered. Detailed instructions and specifications for this invitation to propose are provided in the RFP, which may be revised, amended or supplemented prior to contract finalization. The Agency reserves the right to negotiate directly with the final selected bidders to ensure the engagement of an entity and the development of a scope of services qualified to meet its needs and objectives.

A presubmission conference is being held on February 23, 2007, by means of teleconference to address questions in advance of the submission deadline. Interested prospective bidders should contact the listed point of contact listed on the RFP to preregister for the informational session. Additional information and supplemental instructions to the RFP may be available on the Agency's website before and after the presubmission conference.

Mailed proposals should be delivered to the Housing Finance Agency, 211 North Front Street, Harrisburg, PA 17101. E-mail submissions are not acceptable. Proposals and related material will become the property of the Agency with no further obligation on the Agency's part.

BRIAN A. HUDSON,  
*Executive Director*

[Pa.B. Doc. No. 07-218. Filed for public inspection February 9, 2007, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

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

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

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
6-303	State Board of Education Certification of Professional Personnel 36 Pa.B. 7141 (November 25, 2006)	12/26/06	1/25/07
18-408	Department of Transportation Roadside Rest Areas 36 Pa.B. 7140 (November 25, 2006)	12/26/06	1/25/07

### State Board of Education Regulation #6-303 (IRRC #2583)

#### Certification of Professional Personnel

January 25, 2007

We submit for your consideration the following comments on the proposed rulemaking published in the November 25, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Education (Board) to respond to all comments received from us or any other source.

#### 1. Requirements related to instructional certificates issued on or after January 1, 2012.— Economic impact; Need; Reasonableness; Feasibility; Timetable for compliance.

Section 49.85(b) establishes grade level limitations for instructional certificates issued on or after January 1, 2012. These limitations relate to eight paragraphs of certifications listed in the regulation.

As described in the Preamble, the Board held extensive discussions in the course of developing this regulation. Despite this outreach, these provisions generated extensive public comment from professional associations, individual school districts, colleges and individuals. While there was favorable public comment, most of the commentators raised concerns with the amendments. Their comments included statements that the regulation will:

- Result in less flexibility to staff elementary schools.
- Put Pennsylvania student education graduates at a distinct disadvantage with those from other states; discourage teacher candidates from enrolling in Pennsylvania teacher preparation programs; and make Pennsylvania graduates less employable in other states. Every state on the eastern seaboard (with the exception of Georgia) has a K—6 certification (or something comparable) along with early childhood and Middle School certifications.
- Force graduating teachers to obtain dual certification (K—6 and 4—8) in order to be appropriately prepared to teach children in their future classes.

- Require future teachers to choose a certificate before they have the opportunity to experience the realities of teaching a range of age groups.

- Increase costs for the 95 colleges and universities with teacher education programs. Additional costs would also be placed on students because of the extra course work required and on the State, which helps to fund public education.

- Inappropriately place grade 4 and grade 8 in the same certificate preparation program when children in these grades are developmentally different.

- Require compliance before teacher education programs can adjust their programs.

- Narrow the preparation of elementary certificate holders at a time when teachers are expected to work with a broader range of performance in their classes.

- Lead to over-specialization at lower grade levels at a time when many curriculum experts are suggesting a wider range of content in teacher preparation programs.

- Lead to shortages in upper-elementary certified and special education teachers.

The commentators have raised significant, valid concerns with the proposed amendments. We will evaluate the Board's response to these concerns to determine if the Regulatory Review Act's criteria of economic impact, need, reasonableness, feasibility and timetable for compliance have been met.

### **2. Requirements outside the regulation.—Reasonableness; Clarity.**

Sections 49.16(b), 49.17(a), 49.83(3), 49.85(d) and 49.86(a) refer to guidelines, standards and criteria that will be established outside this regulation. A regulation has the full force and effect of law. It establishes binding norms on the regulated entity and the agency that promulgated the regulation. The vague provisions in question would allow requirements to be imposed at the Board's or Secretary's discretion without the opportunity for comment or review through the regulatory process. Without adequate notice as to what requirements the Board is imposing, it would be difficult, if not impossible, for regulated parties to discern what actions on their part would constitute compliance. We urge the Board to evaluate all of the vague phrases identified above. The Board should either delete the language or add the needed detail that would allow the regulated community to know how to comply with the regulation.

### **3. Section 49.13. Policies.—Reasonableness; Timetable for compliance.**

#### *Number of credits and hours*

Several commentators suggested changes to the number of required credits and hours specified in Subparagraph (b)(4)(i). Their concerns are that the new requirements could interfere with national accreditations or take time away from core studies. The Board should explain why the numbers of credits and hours specified in Subparagraph (b)(4)(i) are appropriate.

#### *Timetable for compliance*

Commentators questioned whether there will be enough time to implement the changes in a final regulation by January 1, 2010. One commentator does not believe there will be enough special education faculty available to meet the requirements. The Board should explain why compliance is needed by January 1, 2010, and how teacher education programs can reasonably comply.

### **4. Section 49.17. Continuing professional education.—Reasonableness.**

#### *Ensure compliance*

Paragraph (a)(7) requires the plan to "... include a description of how the school entity will ensure that all professional employees participate in continuing education focused on teaching diverse learners in inclusive settings." A commentator suggests that this is overly prescriptive and should only require the school entity to "offer opportunities" for professional employees to participate. The Board should explain why it is necessary to require the plan to describe how the school entity will "ensure" professional employees participate. The Board should also explain how the school entity could comply with this requirement.

### **5. Section 49.85. Limitations.—Reasonableness; Clarity.**

#### *Subsection (b)*

We have five concerns with this subsection.

First, the Board should explain why the January 1, 2012 implementation date for transitioning to the proposed breakdown of instructional certificates under this subsection is reasonable and appropriate. Because teacher education programs take at least four years to complete, commentators fear that they will have less than a year to adequately revise programs to reflect the proposed new certifications.

Second, why has the Board chosen to include an overlap at age 11 between Elementary/Middle and Secondary certifications, but not between Early Childhood and Elementary/Middle certifications?

Third, the breakdown of certifications as Special Education/Primary and Special Education/Middle is not clear. Why does Special Education/Primary include up to age 14? Why does Special Education/Middle include pre-kindergarten, kindergarten and grades one through three?

Fourth, we question whether the proposed plan to replace the K—12 special certification with one of three dual certifications can be done within a 120 credit hour framework. In what timeframe does the Board anticipate students in education programs will be able to complete a dual certificate?

Finally, will the Special Education/Primary certification qualify teachers to teach K—5 or will they also have to have certification for K—3 and 4—8?

#### *Paragraphs (b)(5), (6) and (7)*

A commentator expressed concern about the Board's effort to split the special education certifications into different grade levels. The commentator also stated that the Council for Exceptional Children Standards does not group special needs children into grade levels. We also note that special needs students are not always functioning at the grade level in which they are currently placed. Therefore, the Board should explain why it is appropriate to create three different special education certifications that explicitly group students by grade level.

#### *Subsection (f)*

This subsection limits the exception to shortages of certified personnel "that apply Statewide." Shortages could be local or could be caused by factors such as the pay or location of a school. Why did the Board restrict exceptions to a finding that a shortage is statewide?

*Paragraph (f)(1)*

Under this paragraph, the Secretary must provide a written notice to the Board that an exception has been granted. This notification must include "... relevant information and justification of the need for the exception." Can the Board object to the Secretary's decision to grant an exception? Also, what criteria will the Secretary use in granting the exception? The Board should include these criteria in the final-form regulation.

*Paragraph (f)(2)*

Under this paragraph, exceptions are limited to 3 years. Can an exception be renewed? Is there a limitation to the number of times the same exception can be granted? If so, this information should be set forth in the final-form regulation.

**6. Section 49.86. Accelerated program for Early Childhood and Elementary/Middle level certificateholders.—Reasonableness; Clarity.**

Subsection (a) states that "The Department will establish standards for an accelerated program. . . ." However, this section does not provide the details on how those standards will be developed. What process will the Department use to "establish standards"? How will the public have input?

**7. Sections 49.142. Vocational Instructional I. and 49.143. Vocational Instructional II.—Reasonableness; Clarity.**

These sections require applicants to have completed a minimum amount of credits or classroom hours in classes relating to "accommodations and adaptations for students with disabilities" and "English language learners in an inclusive setting." Are courses readily available to meet these new subject requirements?

**Department of Transportation Regulation  
#18-408 (IRRC #2584)**

**Roadside Rest Areas**

**January 25, 2007**

We submit for your consideration the following comments on the proposed rulemaking published in the November 25, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Transportation (Department) to respond to all comments received from us or any other source.

**Section 443.2. Prohibited activities or actions.—Fiscal impact; Protection of public safety; Reasonableness; Implementation procedures; Clarity.**

In the existing Chapter 443, this section consists of a list of prohibited activities. The proposed regulation adds new language to the list. In the proposed regulation, the opening paragraph of this section reads: "The following specified activities or actions [shall be] prohibited in roadside rest areas." Subsections (1)—(17) comprise the list of prohibited activities. We have identified the following areas for comment.

*Obeying all signs and areas where driving or parking is not permitted*

In the proposed regulation, the following statement has been added to Subsection (1): "Drivers shall obey all posted traffic signs and markings." This statement does not describe prohibited activities, and is broader than the existing language in this subsection which reads: "Driving

or parking of a vehicle in areas other than those provided." Traffic signs and markings do more than inform drivers about the areas where parking or driving is prohibited. The new language should either be moved to a different section or re-written to match the style of the list. One possible re-write is: "Failure to comply with all posted traffic signs and markings." The new statement should also be the only statement in Subsection (1) and the existing language, which is limited to preserving "no parking" and "no driving" areas, should be written as the new Subsection (2).

*Time limits on parking*

The existing language in Subsection (2) reads: "Parking or standing of a vehicle for more than 2 hours in a single 24-hour period or in excess of the posted time limit." The new language added by the proposed regulation states that vehicles left for longer than 24 hours are "subject to removal and storage at the sole cost and expense of the owner." There are two concerns.

First, as noted above on Subsection (1), this new language is not describing a prohibited activity. It describes a penalty. This new language should be moved to a new section added to the final-form regulation that describes the fines and penalties for violations of the provisions of Chapter 443. For example, people, who park their vehicles for more than two hours at rest areas would be subject to fines pursuant to Section 8 of the act of June 7, 1961 (P. L. 257, No. 151) (36 P. S. § 478.18), and "vehicles unattended for more than 24 hours will be considered abandoned and subject to removal and storage at the sole cost and expense of the owner." The regulation should also state that public notices listing the fines for violations of the parking and other rules, including a warning that a vehicle is subject to towing after 24 hours, will be conspicuously posted at rest areas.

Second, it is unclear what a driver should do in an emergency situation when the vehicle won't run or it is unsafe to operate, and the driver may not be able to resolve the situation in less than two hours. The Department should consider providing an exception for emergencies when operators or owners alert the Department that they intend to move the vehicle as soon as possible but they may need more than two hours to get help with towing or emergency repairs. This would prevent dangerous or costly situations when people try to get vehicles out of rest areas before the vehicles are ready and safe for the open road.

*Defacing facilities, skateboarding, smoking or not smoking, igniting fires and sleeping*

The proposed regulation adds numerous new prohibited activities to Subsections (3) and (4). They read:

(3) Defacing or damaging buildings or other facilities[.], *skateboarding, rollerblading, skating, biking or sledding, riding of all-terrain vehicles or smoking in areas designated as "No Smoking."*

(4) Igniting or maintaining fires for heating or cooking equipment, except in areas or facilities designed for the purpose, *camping overnight or setting up a tent, sleeping anywhere but in a legally parked vehicle, or remaining anywhere but in a legally parked vehicle for more than 2 hours.*

Subsections (3) and (4) are too long and contain unrelated subjects. The purpose of a list is to delineate items, conditions or terms, and to avoid long statements or sentences. The existing language in the two subsections

should continue to stand alone as parts of the list, and the new language should be set forth as at least three new subsections.

*Emergencies and minor repairs*

Subsection 443.2(8) of the proposed regulation expressly prohibits the "maintenance or repairing of vehicles or attachments to vehicles" at rest areas "except in emergencies." The Pennsylvania Motor Truck Association (PMTA) suggests the addition of specific language to allow for minor repairs to commercial vehicles placed out of service by law enforcement after roadside inspections. PMTA claims that the exception for emergencies may not be interpreted by law enforcement officers to include minor repairs. In these cases even though the required repairs are minor, commercial vehicles would need to be towed at considerable expense to owners or operators. It is our understanding that the intent of the Department for this regulation is that a rest area should provide temporary parking for the broadest number of travelers and their vehicles. To this end, other provisions in this regulation limit parking to two hours. If a minor repair or adjustment can be completed during this two-hour period at a rest area, we do not see why this activity should be prohibited. We recommend that that the exception in this subsection be extended to include minor repairs or adjustments that can be performed in two hours or less.

*Expressive activities and distributing written materials*

New language in Subsections 443.2(17)(iii) and (iv) prohibits picketing, similar expressive activities, and distributing written materials. There are two issues.

First, Subsection 443.2(17)(iii) sets forth a complete prohibition on picketing and other types of expressive activity and, unlike Subsection 443(17)(iv), it does not allow for this type of activity with "the written agreement of the Department." Subsection 443.2(17)(iii) needs to be amended in the final-form regulation to allow for such activity with a written agreement from the Department.

Second, there is no indication of how a person would apply for a "written agreement" with the Department or what criteria would be used by the Department in determining what activities would be allowed. These subsections should include a reference to a regulation that outlines the process whereby the public could file a request for a "written agreement."

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 07-219. Filed for public inspection February 9, 2007, 9:00 a.m.]

indirect wholly owned subsidiaries of Guard Financial Group, Inc. The initial filing was received on January 24, 2007, and was made under requirements set forth 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 a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; cbybee@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 07-220. Filed for public inspection February 9, 2007, 9:00 a.m.]

## Application for a Domestic Certificate of Authority

Shared Services Insurance Group, Inc. has applied for a Certificate of Authority to operate as a domestic stock casualty insurance company in this Commonwealth. The filing was made under the requirements set forth under The Insurance Company Law of 1921 (40 P. S. §§ 341—991). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 07-221. Filed for public inspection February 9, 2007, 9:00 a.m.]

# INSURANCE DEPARTMENT

## Application for Approval to Acquire Control

CLAL Insurance Enterprises Holdings Ltd. (CLAL), an Israeli domiciled corporation, has filed an application to acquire control of the following Commonwealth domiciled insurers: AmGUARD Insurance Company, NorGUARD Insurance Company, EastGUARD Insurance Company and WestGUARD Insurance Company. The acquisition of control is proposed to be achieved through the merger of Guard Financial Group, Inc. with a newly formed acquisition subsidiary of CLAL. AmGUARD Insurance Company, NorGUARD Insurance Company, EastGUARD Insurance Company and WestGUARD Insurance Company are all

## Application and Request for a Certificate of Authority

Devon Manor Corporation has applied for a continuing care provider Certificate of Authority to operate a facility located in Devon, PA. The filing was received on January 26, 2007, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the

*Pennsylvania Bulletin.* Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Stephanie Ohnmacht, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557, sohnmacht@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 07-222. Filed for public inspection February 9, 2007, 9:00 a.m.]

## OFFICE OF ATTORNEY GENERAL

### Lobbying Disclosure Regulation Committee; Public Meeting

A meeting of the Lobbying Disclosure Regulation Committee established under the act of November 1, 2006 (P. L. 1213, No. 134) (Act 34) effective January 1, 2007, will be held on Thursday, February 15, 2007, at 9 a.m. in Room 8EA, East Wing of the Main Capitol, Harrisburg, PA.

The purpose of the meeting will be for the Committee to consider regulations under Act 134 and receive public comments. Visit [www.attorneygeneral.gov](http://www.attorneygeneral.gov) for more information and to view a copy of the complete agenda.

THOMAS CORBETT,  
*Attorney General*

[Pa.B. Doc. No. 07-223. Filed for public inspection February 9, 2007, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Default Service Plan

**P-00072247. Duquesne Light Company.** Petition of Duquesne Light Company for approval of Default Service Plan for the period January 1, 2008, through December 31, 2010.

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner and a copy provided to the Administrative Law Judge, on or before February 26, 2007. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, and at the petitioner's business address.

*Applicant:* Duquesne Light Company

*Through and By Counsel:* Michael W. Gang, Esquire, Anthony Kanagy, Esquire, Post & Schell, P. C., 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

A prehearing conference on the previously captioned case will be held at 10 a.m., Wednesday, February 28, 2007, 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222 and Hearing Room 1—Harrisburg Parties, Plaza Level, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120

*Presiding:* Administrative Law Judge Larry Gesoff, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222

*By the Commission*

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-224. Filed for public inspection February 9, 2007, 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 March 5, 2007. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under each application.**

**A-00123426. Shawn M. Dougherty** (832 Mason Avenue, Drexel Hill, Delaware County, PA 19026)—persons, in limousine service, from points in the County of Delaware, to points in Pennsylvania, and return.

**A-00123427. David H. Eakin** (473 Enterprise Road, P. O. Box 744, Grove City, Mercer County, PA 16127)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Mercer, to points in Pennsylvania, and return.

**A-00123428. Star Voyager Transporter Systems, LLC** (22 South Main Street, New Hope, Bucks County, PA 18938), a limited liability company of the Commonwealth of Pennsylvania—persons upon call or demand in the Borough of New Hope, Bucks County, and within an airline distance of 15 statute miles of the limits of said Borough. *Attorney:* John D. Blumenthal, 179 North Broad Street, Doylestown, PA 18901.

**A-00123434. Boyo Transportation Services, Inc.** (1304 S. Forge Road, Palmyra, Lebanon County, PA 17078) a corporation of the Commonwealth—persons in paratransit service from points in the Counties of Dauphin, Cumberland, Lancaster, Lebanon and York, to points in Pennsylvania, and return.

**A-00123437. Peggy S. Hanna, t/a Hanna's** (P. O. Box 46, Narvon, Lancaster County, PA 17555)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster to points in Pennsylvania, and return.

**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-00111398, F.1, Am-A. Yellow Rose Transit, Inc.** (R. D. No. 1, Box 26-C, Tionesta, Forest County, PA 16353), a corporation of the Commonwealth—persons, in paratransit service, between points in the County of Forest, and that part of the Counties of Warren, Venango and Clarion, within an airline distance of 15 statute miles of the limits of the Borough of Tionesta, Forest County, and from points in said territory, to points in Pennsylvania, and return; subject to the following condition: That no right, power or privilege is granted to originate any service in the City of Oil City, Venango County: *So As To Permit* the transportation of persons, in paratransit service, from points in the Counties of Clarion, Butler, Crawford, Elk, Forest, Jefferson, McKean, Mercer, Venango and Warren, to points in Pennsylvania, and return.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.**

**A-00123430. Ameri Moving Company** (607 Hazel Lane, Philadelphia, PA 19116), a corporation of the Commonwealth of Pennsylvania,—household goods in use, in the City and County of Philadelphia and within an airline distance of 75 statute miles of the limits of said city and county.

**Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.**

**A-00114159. Jim Thorpe River Adventures, Inc., t/d/b/a Kuhn Bros. Transportation** (1 Adventure Lane, Jim Thorpe, Carbon County, PA 18229), a corporation of the Commonwealth—discontinuance of service—persons, in group and party service, between points in the County of Carbon, and from points in the said County, to points in Pennsylvania, and return; limited to transportation in 15 vans and school bus-type vehicles not to exceed 28 passengers.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-225. Filed for public inspection February 9, 2007, 9:00 a.m.]

## Telecommunications

**A-310190F7001. Verizon North, Inc. and Comcast Business Communications d/b/a Comcast Long Distance.** Joint petition of Verizon North, Inc. and Comcast Business Communications d/b/a Comcast Long Distance for approval of an adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North, Inc. and Comcast Business Communications d/b/a Comcast Long Distance, by its counsel, filed on January 23, 2007, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and Comcast Business Communications d/b/a Comcast Long Distance 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. 07-226. Filed for public inspection February 9, 2007, 9:00 a.m.]

## Telecommunications

**A-310376F7001. Verizon North, Inc. and Frontier Communications of America, Inc.** Joint petition of Verizon North, Inc. and Frontier Communications of America, Inc. for approval of an adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North, Inc. and Frontier Communications of America, Inc., by its counsel, filed on January 23, 2007, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and Frontier Communications of America, 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. 07-227. Filed for public inspection February 9, 2007, 9:00 a.m.]

## Telecommunications Service

**A-311435F0002AMA. Neutral Tandem-Pennsylvania, LLC.** Application of Neutral Tandem-Pennsylvania, LLC, for approval to offer, render, furnish or supply telecommunications services as a facilities-based UNE-P reseller of competitive local exchange carrier services to the public in the service territory of The United Telephone Company of Pennsylvania, t/a Embarq Pennsylvania.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 26, 2007. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Neutral Tandem-Pennsylvania, LLC

*Through and By Counsel:* Patrick D. Crocker, Esquire, Early, Lennon, Crocker and Bartosiewicz PLC, 900 Comerica Building, Kalamazoo, MI 49007

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-228. Filed for public inspection February 9, 2007, 9:00 a.m.]

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## STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

### Bureau of Professional and Occupational Affairs v. Garry P. Kaputa and Frank Kaputa Used Cars; Doc. No. 1381-60-2006

On December 19, 2006, Garry P. Kaputa, of West Hickory, Forest County, license No. MV-035700-L and Frank Kaputa Used Cars, of Tionesta, Forest County license No. VD-025478, had their licenses revoked and were assessed civil penalties of \$6,000 and \$4,000, respectively, for committing crimes of moral turpitude related to the vehicle trade.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

EDWIN K. GALBREATH, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 07-229. Filed for public inspection February 9, 2007, 9:00 a.m.]

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# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

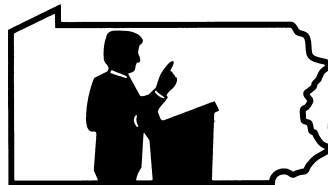
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:  
 The payment date specified in the contract.  
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.  
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.  
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705



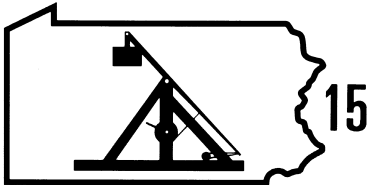
## DO BUSINESS WITH STATE AGENCIES

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. The bureau is, by law, the central repository for all state contracts over \$5,000. Contract Specialists can supply you with descriptions of contracts, names of previous bidders, pricing breakdowns and other information. They can also direct you to the appropriate person and agency looking for your product or service. Copies of state contracts are also available. (Duplicating and mailing costs may apply). For more information, visit us online at [www.patreaury.org](http://www.patreaury.org).

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania Treasury Department  
 201 Finance Building  
 Harrisburg, PA 17120  
 Phone: (717) 787-2990 or 1-800-252-4700  
 Fax: (717) 772-0977

ANTHONY E. WAGNER,  
*Acting Treasurer*  
 Deputy State Treasurer for Investments and Programs

## SERVICES



**Environmental Maintenance Service**

**AMD 65(2971)101.1.** Acid Mine Drainage Abatement Project, Pine Run. The principal items of work and approximate quantities include Stream Crossing, 2,071 linear feet of PVC Pipe and 3 Check Valves. This project issues on February 9, 2007 and bids will be opened on March 15, 2007 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received. This project is financed by the Federal Government under the authority given it by P. L. 95-87 dated August 3, 1977, "The Surface Mining Control Act of 1977," and is subject to that Law, and to the Federal Grant for this project.

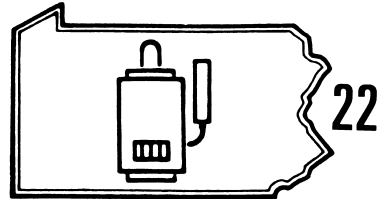
**Department:** Environmental Protection  
**Location:** Allegheny Township, Westmoreland County  
**Duration:** 150 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820

**BOGM 06-7.** Cleaning Out and Plugging Four (4) Abandoned Oil and Gas Wells, (Point West L.P. and Mr. Anthony P. Cross Properties). The principal items of work include cleaning out and plugging four (4) abandoned oil and gas wells, estimated to be 2,800 feet each in depth, to Department specifications, preparing and restoring well sites, and mobilizing and demobilizing plugging equipment. The wells are estimated to take approximately 300 hours to plug while using approximately 1,200 pounds of plugging material. This project issues on February 9, 2007 and bids will be opened on March 15, 2007 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received. A pre-bid conference is being held on Tuesday, February 20, 2007 at 10:00 a.m. Although attendance at the conference is not mandatory it is strongly recommended.

**Department:** Environmental Protection  
**Location:** North Fayette Township, Allegheny County  
**Duration:** 120 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820

**OSM 40(1381)101.1.** Abandoned Mine Reclamation, Freeland South. The principal items of work and approximate quantities include 149,300 cubic yards of Grading, 3,575 cubic yards of Ditch Excavation, 2,630 square yards of R-6 Rock with Geotextile, 735 tons of R-5 Rock and 20 acres of Seeding. This project issues on February 9, 2007 and bids will be opened on March 15, 2007 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been sent. This project is financed by the Federal Government under the authority given it by P. L. 95-87 dated August 3, 1977, "The Surface Mining Control Act of 1977," and is subject to that Law, and to the Federal Grant for this project.

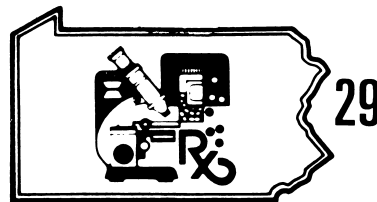
**Department:** Environmental Protection  
**Location:** Foster and Hazle Townships, Luzerne County  
**Duration:** 180 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820



**HVAC Services**

**PR30213048.** Plumbing Supplies: 15" PVC Ultra-Rib Sewer Pipe; 15" x 15" x 15" Ultra-Rib Tee Fitting; 15" 90 Degree Bend; 12" PVC Ultra-Rib Sewer Pipe; 12" 90 Degree Bend; 12" 45 Degree Bend; 12" 22-1/2 Degree Bend; 15" Sluice Gate; 12" Sluice Gate; 15" Manhole Adapter Ring; 12" Manhole Adapter Ring; Bid opening is February 14, 2007, at 2:30 pm.

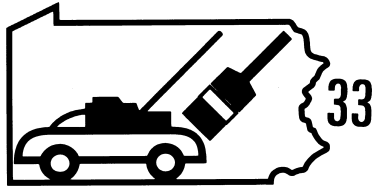
**Department:** Fish and Boat Commission  
**Location:** PA Fish and Boat Commission, Corry State Fish Hatchery, 13365 Route 6, Corry, PA 16407  
**Duration:** June 30, 2007  
**Contact:** Debbie Rose, 814-359-5141



**Medical Services**

**HUN-PROSTHETICS.** Contractor to provide for dental laboratory services for inmate dental prosthesis. Contract will be for 2 state correctional agencies.

**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike St., Huntingdon, PA 16654 and State Correctional Institution at Smithfield, 1120 Pike St., Huntingdon, PA 16652  
**Duration:** 7/1/07 to 6/30/08  
**Contact:** Robert Jessell, Pur Agt, 814-643-2400 x 304



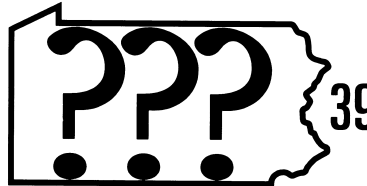
## Property Maintenance

**MI-953** Breidenstine Roof Replacement. PROJECT TITLE: Breidenstine Roof Replacement, Millersville University of PASSHE. BRIEF DESCRIPTION: The Contractor will remove the existing EPDM roof system, approximately 14,836 SF, to the concrete deck and replace with a fully adhered EPDM system including coping. Reuse existing counterflashings and drains. Roofing system will be a 30 year manufacturers' warranty. ESTIMATED RANGE: \$100,000 TO \$200,000, General Construction. PREBID: February 15, 2007, 11:00 AM Dilworth 203. DUE DATE March 2, 2007, 11:30 AM. BIDDING DOCUMENTS will be available February 9, 2007. Requests will be accepted online at: [http://mustang.millersville.edu/~purchase/detail\\_current\\_bids.php?proj=MI-953](http://mustang.millersville.edu/~purchase/detail_current_bids.php?proj=MI-953). There is no cost for a bid packet.

**Department:** State System of Higher Education  
**Location:** Millersville University, Millersville Borough  
**Duration:** 30 calendar days  
**Contact:** Jill M. Coleman, 717-872-3730

**CPC 06.095.** CPC 06.095 Maintenance of Finishes & Fixtures - Matthew J. Ryan Legislative Office Building: Work includes dusting and general cleaning of walls, beam drops, soffits, moldings, metal and stone railings, bronze and stone sculpture, gilded surfaces, finished woodwork, painted art work and miscellaneous architectural materials and finishes. The work also includes repair, preparation and refinishing of historic plaster, scagliol marble and wood and touch-in of gilded surfaces by qualified artisans. Documents will be available for pick-up on March 13, 2007 and require a \$100 deposit. A mandatory pre-proposal conference and detailed site review is scheduled for March 21, 2007 at 10:00 am starting in Room 630 Main Capitol Building, Harrisburg. Proposals are due on April 11, 2007 at 2:00 pm prevailing time.

**Department:** PA Capitol Preservation Committee  
**Location:** Harrisburg, PA. Matthew J. Ryan Legislative Office Building  
**Duration:** This is a year contract with renewable options for four additional years. (Potential 5 year contract)  
**Contact:** Chris Ellis, (717) 783-6484



## Miscellaneous

**CPC 04.087.** LANDSCAPE ARCHITECT: The Capitol Preservation Committee is requesting proposals from qualified professionals for design and engineering services to execute certain changes to the South Capitol Park, located within the Capitol Complex along Walnut and Third Streets in Harrisburg, Pennsylvania. The basic scope of the project will be to modify and widen the existing sidewalks and to construct new retaining walls along Walnut and Third Streets. In conjunction with the retaining wall construction, the work shall include modifications and extensions to the existing subsurface draining systems; construction of swales; modifications to inlets and gutters; construction of associated handicapped ramps; curb cuts; safety railings; modification to sidewalks and other existing landscape features; and plantings that may be required. Please provide a summary of professional qualifications and experience for review and evaluation to the Capitol Preservation Committee, Room 630 Main Capitol Building, Harrisburg, Pennsylvania, 17120 before March 2, 2007. Qualified professionals must be insured and licensed to work in the Commonwealth of Pennsylvania.

**Department:** PA Capitol Preservation Committee  
**Location:** Harrisburg, PA, South Capitol Park  
**Contact:** Chris Ellis, (717) 783-6484

**CN00024662.** Furnish Interior Fire Rated Doors. If you interested in receiving a bid package, please fax your request to 570-587-7108 on your company letterhead that includes your name, address, telephone and fax numbers, federal ID number and PA State Vendor Number. If you do not have a PA State Vendor number, one can be obtained by calling 866-775-2868 or by registering online at: <http://www.vendorregistration.state.pa.us/> Bid packages cannot be faxed.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411  
**Duration:** March 1-April 15, 2007  
**Contact:** Stanley Rygelski, PA, 570-587-7291

**GIRFGA-2007.** The Governor's Institutes for Educators are intended to promote continuing professional education among educators. These programs are rich in opportunities to deepen subject area knowledge and will include real-world experiences as tools that help educators make the link to the Pennsylvania Academic Standards, new classroom assessments and technology. The 2007 Request for Proposal provides intermediate units, institutions of higher education and not-for-profit entities with information that enables them to prepare and submit proposals for consideration to serve in a partnership capacity with the Pennsylvania Department of Education as a facilitator for site management for one of the Governor's Institutes for Educators.

**Department:** Education  
**Location:** Various locations across the Commonwealth  
**Duration:** July 1, 2007 - June 30, 2008  
**Contact:** Becky McHugh, 717-783-9260

[Pa.B. Doc. No. 07-230. Filed for public inspection February 9, 2007, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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JAMES P. CREEDON,  
*Secretary*



