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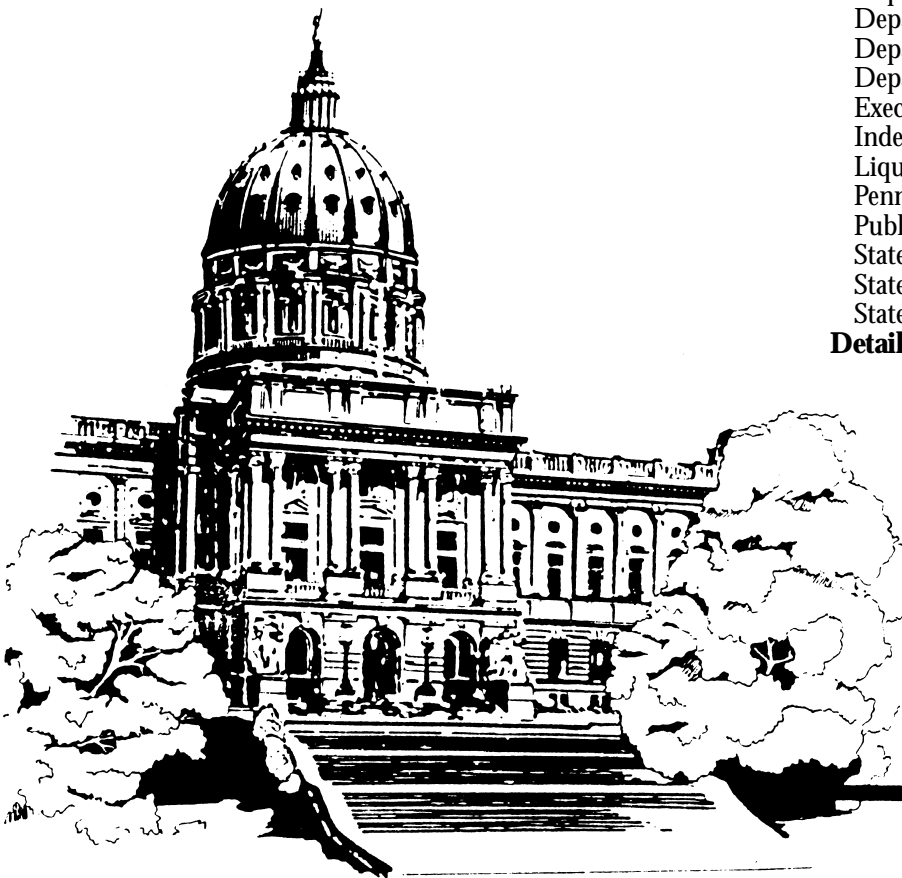
# PENNSYLVANIA BULLETIN

Volume 36  
Saturday, March 4, 2006 • Harrisburg, PA  
Number 9  
Pages 1031—1114

## Agencies in this issue:

The Governor  
The Courts  
Department of Banking  
Department of Community and Economic  
Development  
Department of Education  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Executive Board  
Independent Regulatory Review Commission  
Liquor Control Board  
Pennsylvania Public Utility Commission  
Public School Employees' Retirement Board  
State Board of Barber Examiners  
State Board of Nursing  
State Employees' Retirement Board

**Detailed list of contents appears inside.**



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

**No. 376, March 2006**

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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 2006.

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# THE GOVERNOR

## GOVERNOR'S OFFICE

[EXECUTIVE ORDER NO. 2005-07, AS AMENDED]

### Fuel Conservation Program

December 30, 2005

*Whereas*, Hurricanes Katrina and Rita have caused devastation to the people and resources of the states of Alabama, Mississippi, Texas, and Louisiana including disruption in the production and refinement of petroleum in the Gulf of Mexico; and

*Whereas*, gasoline prices have reached an all time high across the country and there is a concern that shortages in liquid fuels might occur; and

*Whereas*, the Commonwealth is a significant consumer of liquid fuel products for transportation, heating, cooling, and other needs; and

*Whereas*, reducing Commonwealth consumption will reduce the overall demand for liquid fuels, which will help to reduce the risk of fuel shortages and alleviate price increases due to excess demand for limited supply.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by the virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby instruct all Commonwealth agencies, boards, and commissions under the jurisdiction of the Governor to establish and follow a Fuel Conservation Program.

**1. Fuel Conservation Program.** The lead member of each agency, board, and commission shall refine existing or establish a new fuel conservation program to take effect immediately and continue until March 31, 2006, at which time the situation will be reviewed. It is possible that the fuel conservation program will be in effect for an extended amount of time.

**2. Goals.** The goals of each Fuel Conservation Program will be to:

- a. substantially reduce the amount of fuel consumed by Commonwealth agencies to help alleviate the threat of a fuel shortage;
- b. set forth necessary plans and actions to ensure the preservation of liquid fuels; and
- c. establish communication with external stakeholders, organizations, and all levels of government regarding the issue.

**3. Components of a Fuel Conservation Program.** A fuel conservation program shall consist of the following components:

- a. The use of video and tele-conferencing should be explored for all Commonwealth meetings where travel would normally be used.
- b. All discretionary travel should be eliminated for the duration of this Executive Order. If travel is required to a meeting, car pools or public transportation should be utilized.
- c. The use of Sports Utility Vehicles (SUVs), vans, and large trucks should be done with discretion.
- d. Each agency should carefully monitor their vehicle usage plans or guidelines particularly to vehicle idling, maintenance, tire pressure, driving suggestions, and other fuel conservation measures. In addition, each agency fleet manager should ensure that the agency is following the maintenance procedures for its vehicles to optimize fuel consumption. Whenever possible, fleet vehicles should be fueled at Commonwealth-owned garages.

**4. Agency Responsibilities.** The following agencies shall have the following specific responsibilities:

- a. Department of General Services (DGS) shall review the heating, cooling, and other energy conservation measures for each Commonwealth

building and ensure efficient energy use. DGS shall provide instructions per fleet usage and shall work with all agencies regarding the creation of fuel conservation programs for their fleet. DGS shall also limit the use of pool vehicles, especially SUVs, trucks, and vans. Finally, DGS shall review all grounds maintenance activities such as lawn care, leaf blowing, etc. to ensure maximum fuel efficiency and delay, where possible, routine grounds activities that involve the expending of liquid fuels.

b. Department of Environmental Protection (DEP) shall develop outreach programs for the public and local governments regarding their own fuel conservation programs. Additionally, DEP shall closely monitor the fuel situation across the country and provide a daily status briefing for the Governor.

5. **Duration.** This Executive Order shall take effect immediately and shall remain in effect until March 31, 2006, unless revised or rescinded.

*Governor*

**Fiscal Note:** GOV 06-02. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 06-355. Filed for public inspection March 3, 2006, 9:00 a.m.]

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

#### [4 PA. CODE CH. 6]

#### [EXECUTIVE ORDER NO. 2006-1]

### Commonwealth Continuity of Government Steering Committee

January 10, 2006

*Whereas*, the functions and services of the Commonwealth of Pennsylvania are essential to the well being of all of Pennsylvania's citizens; and

*Whereas*, the safety and well being of both the customers and employees of Commonwealth operations are of the highest priority; and

*Whereas*, the investment the Commonwealth has made in physical assets, resources, systems, and equipment is extensive and is the valued property of all Pennsylvanians; and

*Whereas*, there is a need to prepare for, prevent, rapidly respond to, and recover from emergency situations, including those stemming from natural causes and those resulting from individuals and/or groups whose intent is to cause harm; and

*Whereas*, there is a need to have an integrated approach for emergencies, including preparation, prevention, response, and recovery among all Commonwealth agencies; and

*Whereas*, all Commonwealth agencies must operate in a well coordinated and prepared approach to ensure the effective continuation of government operations and the safety of individuals.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby direct all agencies under my jurisdiction to update and exercise on an annual basis, and be prepared to implement, continuity of government plans for their operations. These plans are to include actions that each agency will take to ensure continuity of their essential operations in the

event of a short or long term emergency. The continuity of government plans must be consistent with agency responsibilities outlined in the Commonwealth of Pennsylvania Emergency Operations Plan maintained by the Pennsylvania Emergency Management Agency and with guidance and policy provided by the Governor's Office of Administration.

To provide leadership and guidance with continuity of government, I do hereby establish the Commonwealth Continuity of Government Steering Committee, whose primary objective is to oversee the development, coordination, and maintenance of agency internal emergency plans.

*Governor*

**Fiscal Note:** GOV 06-1. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION**

**PART I. GOVERNOR'S OFFICE**

**CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES**

**Subchapter F. COMMONWEALTH CONTINUITY OF GOVERNMENT  
STEERING COMMITTEE**

**§ 6.51. Mission.**

The mission of the Commonwealth Continuity of Government Steering Committee is to:

- (1) Provide guidelines, oversight and policy direction to agency heads on internal agency emergency plans.
- (2) Provide feedback to the Governor and to agency heads on needs for internal emergency prevention, preparation, response and recovery measures.
- (3) Assess the level of continuity of government preparedness among Commonwealth agencies and report to the Governor.

**§ 6.52. Composition.**

(a) The Secretary of Administration serves as Chairperson and other members of the Commonwealth Continuity of Government Steering Committee (Steering Committee) consist of the:

- (1) Secretary of General Services.
- (2) Director of the Pennsylvania Emergency Management Agency.
- (3) Commissioner of the Pennsylvania State Police.
- (4) Secretary of Health.
- (5) Director of Homeland Security.
- (6) Other members as directed by the Governor.

(b) The Steering Committee will draw on the expertise and cooperation of all State agencies and primarily will work through existing resources in State agencies as much as possible.

**§ 6.53. Responsibilities.**

(a) The Secretary of Administration is responsible for ensuring that comprehensive emergency preparedness/business continuity plans exist in all agencies to minimize any disruption of services and to support the continued mission of all Commonwealth agencies. The Secretary of Administration is responsible for reporting to the Governor and communicating to agencies on Commonwealth Continuity of Government Steering Committee policy direction and guidelines and serving as Secretary to the Executive

Board for exceptional actions during emergencies. The Secretary of Administration shall provide direction and guidelines for human resource and information technology as part of an overall emergency preparedness, response and recovery plan.

(b) The Secretary of General Services is responsible for:

(1) Capitol Police preparation for and prevention of emergencies and coordination of emergency response in buildings under their jurisdiction.

(2) Central law enforcement reporting and monitoring during emergencies at Commonwealth facilities.

(3) Acquisition and maintenance of protective features in facilities owned or leased by the Department of General Services.

(4) Guidelines for protective features in facilities housing State operations not owned or leased by the Department of General Services.

(5) Guidelines for responding to bomb threats or other terroristic acts.

(6) Design specifications for new Commonwealth buildings and facilities.

(c) The Director of the Pennsylvania Emergency Management Agency is responsible for:

(1) Providing consultation and assistance to all Commonwealth agencies on the development of agency specific annexes to the State Emergency Operations Plan.

(2) Assisting the Secretaries of Health and General Services with providing guidance and direction on agency emergency medical, evacuation or other types of emergency response plans.

(3) Coordinating emergency response for government and nongovernment entities for local, regional or Statewide emergencies.

(4) Developing, maintaining and promulgating the Commonwealth of Pennsylvania Emergency Operations Plan and coordinating with the Federal Emergency Management Agency.

(5) Directing the Commonwealth Emergency Operations Center for State agency use.

(6) Assisting State agencies on recovery efforts after an emergency.

(7) Other articles pursuant to 35 Pa.C.S. (relating to health and safety).

(d) The Commissioner of the Pennsylvania State Police is responsible for:

(1) Statewide coordination of police activities.

(2) Response to emergencies at State facilities not under the jurisdiction of other police authorities.

(3) Statewide investigations and surveillance regarding emergencies.

(4) Coordination with Federal law enforcement officials and law enforcement officials from other states.

(5) Criminal background checks, and related activities associated with emergencies.

(6) Forensic laboratory services associated with emergencies.

(e) The Secretary of Health is responsible for:

(1) Public health leadership and direction during emergencies.

(2) Assisting State agencies with assessing vulnerability for public health threats and developing prevention strategies.

(3) Responding to inquiries and needs for assistance during potential public health emergencies.

(4) Assisting with response, investigation and recovery when a public health emergency has occurred that affects Commonwealth operations.

(f) The Director of Homeland Security is responsible for providing consultation and assistance to the Commonwealth on the development of internal agency emergency preparedness and response plans, consistent with the

preparedness activities external to State government. Specific attention to the geographic considerations of emergency readiness and response to chemical, biological, radiological/nuclear and cyber attacks will be made available to ensure a comprehensive enterprise-wide plan. Guidance will also be provided on the level of preparedness and recovery in this Commonwealth's infrastructure including public utilities, transportation, communication, medical and other essential community services.

**§ 6.54. Reporting and communication.**

The Commonwealth Continuity of Government Steering Committee shall prepare regular reports to the Governor on the status of continuity of government preparedness of agencies and communicate to the Office of General Counsel and agency heads on the progress and performance in emergency preparedness. Responsible agency heads are to report the status of emergency plan updates, exercises and implementations to the Secretary of Administration. Additionally, responsible agency heads are to communicate Commonwealth-wide policy and procedures on emergency preparedness within State government through the Directives Management System.

**§ 6.55. Relationship with other agencies.**

All Commonwealth agencies, boards and commissions under the Governor's jurisdiction shall cooperate fully with the Secretary of Administration and the Commonwealth Continuity of Government Steering Committee on the implementation of this subchapter.

**§ 6.56. Effective date.**

This order shall take effect immediately and rescinds Executive Order 2002-1, dated March 22, 2002.

[Pa.B. Doc. No. 06-356. Filed for public inspection March 3, 2006, 9:00 a.m.]

—

# THE COURTS

## Title 255—LOCAL COURT RULES

CAMBRIA COUNTY  
Administrative Order

### Order

*And Now*, this 23rd day of August, 2005, it is hereby *Ordered*, that the Local Rules of the Orphans' Court Cambria County are hereby amended to remove the requirements that pleadings and accounts be filed in duplicate. The Rules are specifically amended as follows:

Rule 3.7CC (C) is amended to state:

One (1) copy of any such document shall be filed with the Register of Wills or Clerk of the Orphans' Court. When the Order has been signed by the Orphans' Court Judge, the Court Administrator will return the Order to the Office of the Register of Wills or Clerk of the Orphans' Court for filing and for mailing to the appropriate persons. The original pleadings shall be signed.

Rule 6.1CC(G) is amended to state:

One original executed account and statement of proposed distribution shall be filed.

The Clerk of the Cambria County Orphans' Court is hereby authorized to amend and restate the Local Cambria County Orphans' Court Rules consistent with the amendments ordered. This Order shall be effective immediately.

GERARD LONG,  
*President Judge*

[Pa.B. Doc. No. 06-357. Filed for public inspection March 3, 2006, 9:00 a.m.]

\_\_\_\_\_

# PROPOSED RULEMAKING

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 63]  
Petition for Rulemaking

Public Meeting held  
February 9, 2006

*Commissioners Present:* Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

*Petition of the Office of Consumer Advocate for a Rulemaking to Amend 52 Pa. Code Chapter 63 (relating to Telephone Service); Doc. No. P-00021985*

### Order

*By the Commission:*

On October 2, 2002, the Office of Consumer Advocate (OCA) filed with the Commission a petition for rulemaking to revise Subchapters A, B, and E of Chapter 63 of the Commission's regulations. These regulations relate to telephone service and contain requirements regarding, inter alia, service and facilities, accounts and records, telephone service standards and confidentiality of customer information.

Because of the passage of time and most importantly, the enactment of the new Chapter 30, 66 Pa.C.S. §§ 3010—3019, we are seeking updated comments to OCA's proposed revisions to these regulations. Comments are requested on any aspect of the OCA's proposed revisions and the regulations in Subchapter A, B, and E. Note that earlier filed comments remain of record in this proceeding and parties are requested not to repeat prior comments. Additional comments, however, are specifically requested on the possible continuation of service surveillance exception data and reports at 52 Pa. Code §§ 63.53 and 63.55.

Based on our review of these further comments and replies thereto, as well as the previously filed comments, we will determine whether these Commission regulations should be amended, supplemented, or deleted pursuant to a rulemaking.

### Discussion

#### I. Background

The OCA Petition was initially published November 2, 2002 at 32 Pa.B. 5416 with a comment period ending December 2, 2002. Reply comments were not specifically permitted.

Comments were filed by nine parties,<sup>1</sup> including the OCA. Local Service Providers (LSPs) filed the majority of the comments and strongly opposed the petition. The opposition was based primarily on the costs of compliance with the proposed service requirements.

<sup>1</sup> Parties filing comments included OCA, Pennsylvania Telephone Association, Pennsylvania Cable and Telecommunications Association (PCTA), AT&T Communications (AT&T), Metropolitan Communications (Met Tel), Public Utility Law Project (PULP), MCI WorldCom Network Services, Inc., Citizens for Consumer Justice (late-filed comments), and Verizon Pennsylvania Inc. and Verizon North Inc. (collectively Verizon, filing joint comments).

On December 19, 2002, the Pennsylvania Telephone Association (PTA)<sup>2</sup> filed a letter protesting that OCA filed comments to its own petition. PTA claimed that OCA's comments added arguments in support of its petition and also added an affidavit from a consultant. PTA proposed that the Commission allow reply comments to provide others with the opportunity to address OCA's new arguments.

In accordance with PTA's request, on February 14, 2003, the Commission issued a Secretarial Letter establishing a reply comment period ending February 28, 2003. A notice inviting all interested parties to file reply comments was posted at the Commission's website. Reply comments were filed by four parties.<sup>3</sup>

Subsequently, two significant events occurred that affected the Commission's authority in regard to the regulation of LSPs specifically in regard to reporting requirements required. These prompted the Commission to postpone any immediate action on OCA's petition.

In June 2004, the Pennsylvania House of Representatives passed House Resolution 786 that directed the joint Legislative Budget and Finance Committee (LB & FC) to study LSP filing and reporting requirements and to report its findings. In its November 17, 2004 report, the *PUC Filing and Reporting Requirements on Local Exchange Carriers (LB & FC Report)*, the LB & FC identified and analyzed 30 reports, filings and other documents, and made its overall recommendation—that the Commission begin the process of reducing the regulatory requirements for local exchange carriers (LECs herein LSPs) in Pennsylvania by eliminating regulations requiring reports. The LB & FC recommended several avenues for accomplishing this goal, including updating the Commission's current computer capability, consolidating similar information in various reports, and eliminating regulations requiring reports that have been temporarily waived, suspended or otherwise no longer required.<sup>4</sup> *LB & FC Report* at S-3-4.

Shortly thereafter, in December 2004, the General Assembly enacted Act 183<sup>5</sup> that substantially amended the Public Utility Code relating to alternative forms of regulation for Local Exchange Telecommunications Companies (LETCs).<sup>6</sup> In particular, Act 183 contained specific provisions that reduce the level of annual, quarterly and other periodic reporting requirements for LETCs to a required nine reports to be "submitted in the form determined by the Commission." 66 Pa.C.S. § 3015(e).

<sup>2</sup> According to PTA's Comments, it represented 30 member companies at the time. PTA Comments, p.1, fn. 1.

<sup>3</sup> Parties filing reply comments include PTA, Verizon, PCTA, and OCA.

<sup>4</sup> It is noted that two of the reports studied by the LB & FC—Accident Reports, Standard Service Surveillance Level Report—are required by regulations in Chapter 63, subchapters A, B and E that are the subject of the OCA Petition. While we will address the section 63.53 and 63.55 reports at this docket, the section 63.11 Accident Report was eliminated by the Commission in *Section 3015(f) Review Regarding the Lifeline Tracking Report, Accident Report and Service Outage Report*, Order entered December 30, 2005 at Docket No. M-00051900.

<sup>5</sup> Effective December 1, 2004, Act of 2004, P. L. 1398, No. 183 (Act 183) became the new Chapter 30 to Title 66 of the *Pennsylvania Consolidated Statutes*. 66 Pa.C.S. §§ 3010—3019.

<sup>6</sup> One of the challenges in this Order and in any subsequent rulemaking is the reconciliation of the different terms that have been used to refer to incumbent and competitive telecommunications companies over the past 20 years. The Commission most recently adopted the term "local service provider" or "LSP." This term applies to a local exchange carrier (LEC), a competitive exchange carrier (CLEC), an alternative service provider (ASP), a local exchange telecommunications company (LETC), and a public utility. LETC and ASP are terms defined in the newly enacted in the Chapter 30. A LETC is:

[a]n incumbent carrier authorized by the commission to provide local exchange telecommunications services. The term includes a rural telecommunications carrier and nonrural telecommunications carrier. . . .

An ASP is defined as an entity that provides communications services in competition with a LETC. 66 Pa.C.S. § 3012 (relating to definitions). For simplicity, the term "local service provider" or "LSP" is used generally in this Order, except where it is necessary to refer to specific subgroups of LSPs.

## II. OCA Petition

In its petition, the OCA proposed revisions to Chapter 63 regulations, specifically 52 Pa. Code Subchapters A (relating to general provisions), Subchapter B (relating to service and facilities) and Subchapter E (relating to telephone quality standards). For example, the proposed revisions would, inter alia, amend section 63.14(a)(2) (relating to emergency equipment and personnel) to require LSPs to increase minimal battery reserves at local offices; amend section 63.18 (relating to multiparty line subscribers) to eliminate multiple party line service; amend section 63.56 (relating to measurements) to require LSPs to engage in programs to install network interface devices (NIDs) for all customer service lines; and amend section 63.57 (relating to customer trouble reports) to require payment to customers in the form of a service credit a penalty for late or missed appointments for service installation or repair. Also, OCA proposed at section 63.63 (relating to transmission requirements and standards) additional requirements relating to transmission standards including the reduction of transmission loss, the reduction of metallic noise and impulse noise level, and the maintenance of a minimum speed of 28,800 bits of data per second for data transfer. OCA further suggested revising section 63.23 (relating to construction and maintenance safety standards for facilities) to update to the reference to the National Electrical Safety Code from the 1981 edition to the current edition. Section D of the OCA Petition lists these and other proposed revisions to the regulations and is reproduced as an attachment<sup>7</sup> to this Order.

## III. Summary of Comments and Replies

Two commenters support the OCA's petition—the Public Utility Law Project (PULP) and Citizens for Consumer Justice (CCJ).<sup>8</sup>

PULP comments single out certain provisions that it felt deserved specific mention. These included, among others, the following: a requirement for carriers to provide dial-up at a minimum 28.8 Kbps in section 63.63 (relating to transmission requirements and standards); the installation of NIDs for every customer in section 63.56 (relating to measurement); and the requirement that service quality information be reported publicly on an exchange-by-exchange basis in section 63.55 (relating to surveillance levels). CJC's comments do not address any specific OCA provision but provide three reasons for the Commission to initiate a quality-of-service rule-making: (1) the urgent need for service improvement; (2) the great need to create standards for internet service; and (3) the need for the Commission to require telecommunications companies to supply increased financial documentation.

On the other hand, the majority of the commenters, which were telecommunications companies and trade associations, oppose OCA's petition for a rulemaking in general and a number of its proposals for revision of specific regulations in particular. For the most part, these commenters are in agreement with PTA's position that a demonstration of need for further standards, surveillance and reporting was minimally required, given the "streamlined" form of regulation under which its members oper-

ate, and that the OCA's petition did not demonstrate this need with supporting evidence. *PTA Comments*, p. 2. PTA argues that these new requirements would create costs that would need to be passed on to consumers. *PTA Comments*, p. 2. PTA also argues that it was not appropriate to impose regulations written for wire line companies on other service providers using different technologies. *PTA Comments*, p. 3.

As to specific OCA proposals, PTA states that service reports should not be filed as "public documents," and that any reports required by the Commission should be submitted on a proprietary basis. PTA states that OCA should follow current practice whereby OCA contacts the company and requests a limited exception to the propriety designation of such reports. As for revising section 63.55 to require service surveillance reporting on an exchange-by-exchange basis, PTA argues that doing so would be burdensome and states that service surveillance should be done on a company-wide basis. *PTA Comments*, pp. 4, 7.

PTA also opposes OCA's addition in section 63.56 (relating to measurements) of a mandatory installation program for NIDs as unnecessary and inflexible. PTA believes that the FCC may have preempted state action in regard to such matters. *PTA Comments*, pp. 7-8.

On establishing a minimum transmission speed of 28.8 Kbps at section 63.63, PTA strenuously objects and questions the authority of the Commission to impose such a requirement. PTA does not have an estimate as to the cost of upgrading all networks at all points to a minimum 28.8 Kbps standard but claims that the costs would be significant. *PTA Comments*, pp. 13-18.

In regard to the proposed deletion of section 63.18 (relating to multiparty line subscribers) PTA responds that there are still customers who are multiparty line service subscribers so that the regulation is still needed. *PTA Comments*, p. 5.

In its comments, the PCTA echoes another often repeated concern—that OCA's proposed amendments could impose a burden on the competitive market entrant, thereby undercutting the competitive marketplace. *PCTA Comments*, pp. 1-2. PCTA reserves comment on most of the proposals, but does raise the competitive disadvantage issue in expressing its opposition to OCA's proposed revision to section 63.63 (relating to transmission requirements and standards) that requires carriers to be capable of supporting dial-up Internet access at a minimum speed of 28.8 Kbps. *PCTA Comments*, p. 2.

In its comments dated December 2, 2002, the OCA supports it request for the implementation of a minimum modem speed requirement for dial-up Internet service. *OCA Comments*, pp. 5-7. The OCA states that a rule-making should be initiated to update Chapter 63 regulations regarding service quality since the existing regulations are out-of-date and incomplete. *OCA Comments*, pp. 7-11. Attached to its comments OCA submitted a discussion paper by consultant Rowland Curry, on network functionality and modem speeds.

In its reply comments dated February 28, 2003, OCA argues that some minimum dial-up modem speed is a necessary element of local exchange service, and answers arguments from Verizon, PTA and PCTA regarding the need for, the utility of, and the impact on competition of the Commission's establishing minimum modem speeds, and the authority of the Commission to establish minimum. *OCA Reply Comments*, p. 7-12. OCA replies to PTA's comments that it would be impractical for smaller

<sup>7</sup> Attachment A to this order is a WORD version of Section D of OCA Petition, paragraphs 18 to 30 at pp. 9-11. This section, entitled *Amendments Requested*, describes OCA's then-requested changes to the regulations. Note that Attachment B referenced in paragraph 18 of OCA's petition is not part of the attachment. It was omitted because of its length.

<sup>8</sup> The Center for Consumer Justice is a coalition of over 300 organizations and individuals representing a variety of consumer issues including improvement of health care, preservation of social security, promoting workplace safety, providing for public transportation, increasing access to courts and improving telecommunications service.



telecommunications companies to report on service quality on an exchange-by-exchange basis by proposing eliminating the requirement for companies with fewer than a certain number of exchanges. *OCA Reply Comments*, p. 13. OCA states in response to Verizon that because the utility already monitors service quality on an exchange basis, it would take little additional work to monitor service on an exchange-by-exchange basis. *OCA Reply Comments*, pp. 13-14. To PTA's comment that reports on service quality should be submitted on a proprietary basis, OCA states that the proposal is disturbing because the PTA is seeking Commission assistance in keeping this information from the public and competitors to the detriment of competition in the marketplace. *OCA Reply Comments*, p. 15.

In its reply comments, PTA states that the Commission should let Network Modernization Programs that are in place work. *PTA Comments*, p. 2. PTA also states that OCA failed to take into account the significant costs of needed network changes to guarantee a minimum modem speed of 28.8 Kbps and would need to be passed onto consumers. *PTA Comments*, pp. 2, 5-7.

PTA denies that Chapter 63 regulations are out of date. PTA states that companies do comply with the current edition, not the 1981 edition of the National Electrical Safety Code. *PTA Reply Comments*, p. 7. Also PTA points out that there are multiparty line service subscribers so that section 63.18 need not be eliminated. *PTA Reply Comments*, p. 8.

In its Reply Comments, the PCTA objects to the requirement of minimum modem speed for Internet dial-up arguing that it would hinder the development of the competitive market place; that any regulation regarding Internet access and assertion of corresponding jurisdiction would be premature and the issue is more appropriately addressed by the General Assembly in its Chapter 30 review. *PCTA Reply Comments*, p. 2.

Verizon's Reply Comments echo those of PTA on subject matter in regard to the need and costs of a minimum modem speed for Internet dial-up. *Verizon Reply Comments*, p. 2-3. Also Verizon disputes the necessity of initiating a rulemaking to update these regulations based on correcting section 63.23 to refer to the current version of the National Electrical Safety Code and the need to eliminate section 63.18 when customers still subscribe to multiparty service. *Verizon Reply Comments*, pp. 3-4.

No commenter objected to the proposal that the reference to the "National Electrical Safety Code, 1981 edition" in section 63.23 (relating to construction and maintenance safety standards for facilities) be updated to the current version, except that PTA stated that making this change in one regulation did not justify opening a rulemaking on Chapter 63 regulations. *PTA Reply Comments*, p. 8.

#### IV. Resolution

Based on the petition and comments, OCA's proposals to improve and clarify telephone service quality standards warrant further and updated comments.

OCA's suggestion to update the reference to the 1981 National Electrical Safety Code to the current version of the National Electrical Safety Code in section 63.23 (relating to construction and maintenance safety standards for facilities) certainly has merit. Other proposals, such as the addition to section 63.56(h) (relating to measurements) of a requirement for the installation of a NID for each customer, while providing a benefit to customers may not be practical in terms of today's costs, or possible in light of the enactment of Act 183 or federal law that

might preempt state action. Other proposals may create unintended consequences, such as the proposal to delete section 63.18 (relating to multiparty line subscribers) when according to PTA comments, there still are customers that subscribe to multiparty line service.

Accordingly, due to the passage of time since the initial comments and replies were filed, as well as the enactment of Act 183, it is incumbent upon us to seek updated comments from interested parties<sup>9</sup> before we propose any specific regulations on this subject matter in the context of a formal rulemaking proceeding. Therefore, we shall request updated comments on OCA's Chapter 63 proposals.

The *Final Implementation Order in PUC Filing and Reporting Requirements on Local Exchange Carriers*, Order entered October 5, 2005 at Docket No. M-00041857 (*Final Implementation Order*) at pp. 52 and 65, referred to this proceeding the issue of whether the service surveillance exception data and reports currently required to be filed with this Commission by 52 Pa. Code § 63.53(b) and § 63.55(b) should be continued.

Section 63.53(b) and section 63.55 (b) and (c) of the Commission's regulations require LSPs to file service surveillance data, and service exception reports, within five working days of its initial notice of substandard service, and an update one month later. The obligation for a utility to file an exception report with the Commission attaches when a company's performance fails to meet minimal performance standards set forth in subchapter E (relating to telephone quality service standards). See generally 52 Pa. Code §§ 63.51—63.65 (relating to telephone quality service standards) and 52 Pa. Code § 63.55 (relating to surveillance levels).

Therefore, we hereby seek specific comment on whether these reports should be continued, amended or abolished, whether these reports fall within the scope of 66 Pa.C.S. § 3015(e)(4) (annual service report), and if not, whether these reports meet the exception standard in section 3015(f).

#### Conclusion

By this order, the Commission is seeking updated comments regarding OCA's Chapter 63 proposals, and comments on whether the service surveillance exception reports and data required by 52 Pa. Code § 63.53(b) and § 63.55(b) should be continued, amended or abolished. After review of these further comments, if the Commission determines that Chapter 63 regulations should be amended, we will initiate a separate rulemaking docket that will propose specific regulations for Chapter 63, subchapters A, B, and E; *Therefore,*

*It Is Ordered That:*

1. The Petition of the Office of Consumer Advocate for a Rulemaking to Amend 52 Pa. Code Chapter 63 (relating to Telephone Service) is granted consistent with the discussion contained in the body of this Order.

2. Interested persons, including the Office of Consumer Advocate, may file updated comments and reply comments to OCA's Chapter 63 proposals, and comments on whether the service surveillance exception reports required by 52 Pa. Code §§ 63.53(b) and 63.55(b) should be continued, amended or abolished.

3. A copy of this Order and Attachment A shall be posted on the Commission's website at <http://www.puc.state.pa.us>.

<sup>9</sup> We note that OCA will be specifically permitted to file updated comments to its petition and replies to other commenters.

4. The Secretary shall serve a copy of this Order and attachments upon the Pennsylvania Telephone Association, the Broadband Cable Association of Pennsylvania (BCAP), the Public Utility Law Project, Competitive Telecommunications Association (COMPTEL), the Office of Trial Staff, the Office of Consumer Advocate, and the Office of the Small Business Advocate and any other parties who filed comments at this docket.

5. The Secretary shall certify a copy of this Order and Attachment A and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

6. Updated comments shall be submitted to the Secretary of the Commission no later than 45 days from the date of the publication of this Order and Attachment A in the *Pennsylvania Bulletin*. Reply comments shall be filed no later than 45 days thereafter.

7. An original and 15 copies of comments or reply comments referencing this docket number shall be filed with Commission's Secretary at P. O. Box 3265, Harrisburg, PA 17105-3265. In addition, a copy of comments and reply comments in electronic format (Microsoft Word® 2002 or readable equivalent) shall be sent by electronic mail to Patricia Krise Burket, Assistant Counsel at, <pburket@state.pa.us>, Holly Frymoyer, Bureau of Consumer Services, at <mfrymoyer@state.pa.us>, Joseph Spandra, Bureau of Fixed Utility Services, <jospandra@state.pa.us>.

8. Upon close of the public comment period, the Commission's Law Bureau shall prepare for consideration at a subsequent Public Meeting a recommendation regarding the initiation of a rulemaking for revision of 52 Pa. Code Subchapters A, B, and E.

9. The contact persons for this rulemaking are Holly Frymoyer, Bureau of Consumer Services, (717) 783-1628 (technical), Joseph Spandra, Bureau of Fixed Utility Services, (717) 787-6489 (technical) and Patricia Krise Burket, Assistant Counsel, Law Bureau, (717) 787-3464 (legal). Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, (717) 772-4579.

10. The Standard Service Surveillance Level Report, per occurrence, as required by 52 Pa. Code § 63.53 and § 63.55 shall remain in place subject to further Commission action.

JAMES J. MCNULTY,  
*Secretary*

#### ATTACHMENT A

#### [OCA *Petition*, Section D. *Amendments Requested*, pp. 9-11]

#### D. Amendments Requested

18. To comply with the requirements of 52 Pa. Code § 5.43, an amended Title 52 Pa. Code § 63 et seq. is attached and incorporated by reference. That amended section is marked "Attachment B." Below, the OCA enumerates the specific sections it seeks to amend.

19. Chapter 63.12 Minimizing interference and inductive effects—the OCA seeks to amend this section to conform to modern standards and practices.

20. Chapter 63.14 Emergency equipment and personnel—the OCA seeks to amend this section to conform to modern standards and practices.

21. Chapter 63.18 Multiparty line subscribers—the OCA seeks to delete this section.

22. Chapter 63.22 Service records—the OCA seeks to amend this section to provide for easier consumer reporting and rapid provider response to all trouble reports and consumer complaints.

23. Chapter 63.23 Construction and maintenance safety standards for facilities—the OCA seeks to update these standards to reflect the current National Electrical Safety Code.

24. Chapter 63.55 Surveillance levels—the OCA seeks to amend this section to reflect an exchange-by-exchange approach to network service quality monitoring.

25. Chapter 63.56 Measurements—the OCA seeks to amend this section such that telecommunications providers shall retain records for a certain period and telecommunications providers shall engage in programs to install a network interface device on all residential and single-line business locations served.

26. Chapter 63.57 Customer trouble reports—the OCA seeks to amend this section to:

(a) remove certain exceptions relating to the reporting of outages;

(b) update the requirements for the clearing of out-of-service trouble reports;

(c) establish standards for commitments to complete repairs, and to establish exceptions thereto;

(d) establish customer credit amounts and procedures in the event of a carrier's failure to meet its appointment and repair commitments to its customer;

(e) provide for customer notification when a carrier cannot meet its existing repair commitment;

(f) establish procedures to make an individual tally of multiple reports received on the same complaint or trouble report;

(g) establish certain standards for the number of complaints received per 100 lines, per month, per exchange; and

(h) establish procedures to ensure for the prompt investigation and correction of trouble reports.

27. Chapter 63.58 Installation of service—the OCA seeks to amend this section to:

(a) provide for reporting requirements when a provider fails to meet 90% of its primary service order installations in any month on an exchange-by-exchange basis;

(b) establish procedures regarding the timing and scheduling of premises visits, and customer notice when the utility is unable to meet its scheduled commitment;

(c) establish customer credit amounts for the failure to meet installation commitments without adequate notice to the customer.

(d) establish a 90% completion requirement as to the date of installation of service and penalties and exceptions thereto.

28. Chapter 63.59 Operator handled calls—the OCA seeks to amend this section regarding operator answering performance.

29. Chapter 63.62 Direct distance dial service—the OCA seeks to amend this section regarding trunk group performance and certain reporting requirements.

30. Chapter 63.63 Transmission requirements and standards—the OCA seeks to amend this section to:

(a) reflect updated technical standards relating to line noise and performance;

(b) establish a minimum standard for voice circuit quality to allow for a transmission rate of at least 28,800 bits of data per second when connected to a standard modem or fax machine.

[Pa.B. Doc. No. 06-358. Filed for public inspection March 3, 2006, 9:00 a.m.]

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# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [4 PA. CODE CH. 9]

#### Reorganization of the Department of General Services

The Executive Board approved a reorganization of the Department of General Services effective February 8, 2006.

The organization chart at 36 Pa.B. 1050 (March 4, 2006) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 06-359. Filed for public inspection March 3, 2006, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending February 21, 2006.

#### BANKING INSTITUTIONS

##### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-16-06	The First National Bank in Fleetwood Fleetwood Berks County <i>To:</i> Fleetwood Bank Fleetwood Berks County	Fleetwood	Approved
Represents conversion from a National bank to a State-chartered commercial bank.			

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-30-06	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1560 Easton Road Warrington Bucks County	Opened

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-14-06	Atlantic Central Bankers Bank Camp Hill Cumberland County	<i>To:</i> 165 Halsey Street Newark Essex County, NJ  <i>From:</i> 400A Commerce Boulevard Carlstadt Bergen County, NJ	Filed

#### SAVINGS INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

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

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 06-360. Filed for public inspection March 3, 2006, 9:00 a.m.]

### Harrisburg Office Change of Address

On February 21, 2006, the Harrisburg Office of the Department of Banking (Department) relocated from 333 Market Street, 16th Floor, Harrisburg to Market Square Plaza, 17 North 2nd Street, 13th Floor, Harrisburg, PA 17101.

Department mail will continue to be received at the 333 Market Street address until further notice.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 06-361. Filed for public inspection March 3, 2006, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Pennsylvania State Planning Board Meetings

The Pennsylvania State Planning Board has scheduled meetings to be held on March 31, June 30 and September 29, 2006, from 10 a.m. to 4 p.m. in Conference Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Persons with a disability who require accommodations to attend a meeting should contact the Department of Community and Economic Development, Governor's Center for Local Government Services at (888) 223-6837.

DENNIS YABLONKSY,  
*Secretary*

[Pa.B. Doc. No. 06-362. Filed for public inspection March 3, 2006, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Public Charter Schools Planning Grant Availability

Under the leadership of Governor Edward Rendell and the Secretary of Education, the Department of Education (Department) is committed to supporting strategies and innovation that help meet the goal of providing strong results for all students. In particular, the Department is focusing on three key areas:

1. **Increased Achievement:** All students will achieve at the proficient or advanced levels in core subject areas.
2. **Equitable Outcomes:** There will not be an achievement gap between student subgroups.
3. **Student Preparedness:** All high school students will graduate prepared for postsecondary education or high-skill employment.

Through the Charter School Competitive Planning Grant (planning grant) process, the Department seeks to expand the number of high-quality, innovative and unique charter schools.

Planning grants provide support for eligible applicants interested in planning a charter school. Planning grant funding will be contracted for 12 months.

The Department will grant Federal charter school funding to eligible applicants that plan to develop unique and innovative charter schools that will incorporate the following best practices:

1. Rigorous and engaging curriculum.
2. Innovative, unique and effective instruction.
3. Artful use of infrastructure.
4. Deep partnerships with community organizations, universities, businesses and/or regional and National organizations.
5. Intensive teacher and leadership training.
6. Meaningful continuous assessment that is aligned with standards.

### *Eligible Applicants*

To apply for a planning grant, an applicant may be any individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff; parents/caretakers of students who will be attending the school; other members of the local community; any nonsectarian college, university or museum located in this Commonwealth; and any nonsectarian, not-for-profit corporation. The eligible applicant may propose to create a new school or to convert an existing traditional public school or a portion of an existing traditional public school.

No charter school shall be established or funded by and no charter shall be granted to any sectarian school, institution or other entity. No funds allocated or disbursed under sections 1701-A—1732-A of the Charter School Law (24 P. S. §§ 17-1701-A—17-1732-A) shall be used to directly support instruction under section 1327.1 of the Public School Code of 1949 (24 P. S. § 13-1327.1).

### *Grant Terms and Conditions*

Planning grants are awarded to charter school developers who do not have an approved charter but have an interest in opening a charter school. The grant covers a 12-month period and should be used to explore the steps necessary in starting a public charter school. The grant is designed to offer assistance and resources to charter school developers and help them to refine and complete their plans with the result of opening a unique, high-quality and innovative charter school. Funds may be used to develop a charter school application or refine existing plans, promote interest in the charter school and/or provide training for developers and staff.

Grants of up to \$50,000 are available for the planning of a public charter school that will open in 2007. These planning grants are an investment in the Commonwealth's educational future. Successful applicants will have explicitly described how they will incorporate the best practices and habits of practice outlined previously.

Planning grant funds will be awarded through a competitive review process.

The Department will ensure that reviewers are highly qualified individuals of diverse expertise, geographic location, gender and racial and ethnic representation. The review process will take place following the application due date deadline.

There is no guarantee that the submission of an application will result in funding or that funding will be

allocated at the level requested. The Department reserves the right to negotiate all budgets. Written notification of grant award decisions will be sent to the contact person indicated on the e-grant application after final approval by the Secretary of Education.

The planning grant application must be submitted to the Department by means of the e-grant system by the close of business on March 29, 2006. Access to the grant application will be closed within 24 hours of the due date.

The Department maintains final authority regarding grant eligibility and the acceptance of grant applications and reserves the right to reject any or all applications.

Applicants who have technical questions regarding the e-grant system should contact the e-grant help desk at (717) 783-6686.

Applicants who have nontechnical questions about the planning grant process should e-mail the Bureau of Community and Student Services, Division of Nonpublic, Private and Charter School Services at ra-csar@state.pa.us.

GERALD L. ZAHORCHAK, D.Ed.,  
*Acting Secretary*

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## 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>
PA036382 (Sewage)	Camp Morasha, Inc. 1118 Avenue J Brooklyn, NY 11230	Buckingham Township Wayne County	UNT to Equinunk Creek (1A)	Y
PA060054	Mount Airy No. 1 LLC Wastewater Treatment Plant Carleton Road Mount Airy, PA 18362-1226	Paradise Township Monroe County	Forest Hills Run (1E)	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>
PA0113433	Lanny Fetterman Residence Small Flow Treatment Facility 2074 Old Reading Road Catawissa, PA 17820	Columbia County Roaring Creek Township	UNT to Roaring Creek (SWP 5E)	Y
PA0111911	Construction Specialties, Inc. 6696 Route 405 Highway Muncy, PA 17756	Lycoming County Clinton Township	Turkey Run (10C)	Y
PA00228249 (Sewage)	Eagle Creek Partnership 1901 East College Ave. State College, PA 16801	Union Township Centre County	Bald Eagle Creek TSF	Y
PA0113051 IW	City of DuBois 16 West Scribner Avenue DuBois, PA 15801	Clearfield County Sandy Township	Laborde Branch 17C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0221767	Keystone Shortway 76, Inc. 21251 Route 322 Strattanville, PA 16258	Clarion Township Clarion County	UNT to Douglass Run Watershed 17-B	Y
PA0024953	Keystone Shortway 76, Inc. 21251 Route 322 Strattanville, PA 16258	Clarion Township Clarion County	UNT to Douglass Run Watershed 17-B	Y
PA0093360	Lake Arthur Estates Mobile Home Park 2925 New Castle Road Portersville, PA 16051	Muddy Creek Township Butler County	UNT to Muddy Creek 20-C	Y
PA0021521	Smethport Borough Authority P. O. Box 152 201 West Water Street Rear Smethport, PA 16749	Smethport Borough McKean County	Potato Creek 16-C	Y
PA0210668	Andromeda House—Perseus House, Inc. 1511 Peach Street Erie, PA 16501	Bloomfield Township Crawford County	UNT to Bloomfield Run 16-E	Y
PA0000345	PA American Water—Clarion Facility 800 Hersheypark Drive P. O. Box 888 Hershey, PA 17003	Clarion Township Clarion County	Clarion River 17-B	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.*

**PA0053651, Industrial Waste**, SIC Nos. 3356 and 3341, **Johnson Matthey, Inc.**, 1401 King Road, West Chester, PA 19380-1467. This existing facility is located in West Whiteland Township, **Chester County**.

Description of Proposed Activity: This application is for the renewal of an NPDES permit for an existing discharge from a groundwater remediation system and stormwater at Johnson Matthey, Inc.

The receiving stream, a UNT to Valley Creek, is in the State Water Plan watershed 3H and is classified for CWF, migratory fishes, aquatic life, water supply and recreation. Valley Creek is a tributary to East Branch Brandywine Creek, which flows into Brandywine Creek. The nearest downstream potable water supply intake is Aqua Pennsylvania, Inc. (Ingram's Mill), located approximately 10 river miles downstream on East Branch Brandywine Creek.

The proposed effluent limits for Outfall 001, based on an average flow of 36,000 gpd are as follows:

<i>Parameters</i>	<i>Average</i>		<i>Maximum</i>	<i>Instantaneous</i>
	<i>Monthly (mg/l)</i>	<i>Weekly (mg/l)</i>	<i>Daily (mg/l)</i>	<i>Maximum (mg/l)</i>
1,1,2- Trichloroethane	0.002		0.004	0.005
1,1,2,2-Tetrachloroethane	0.0007		0.0014	0.0017
Trichloroethylene	0.01		0.02	0.025
Tetrachloroethylene	0.0025		0.005	0.0062
pH	within limits of 6.0 to 9.0 Standard Units at all times			

The proposed effluent limits for stormwater Outfall 002 are as follows:

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	Monitor and Report	Monitor and Report
Chemical Oxygen Demand	Monitor and Report	Monitor and Report
Oil and Grease	Monitor and Report	Monitor and Report
pH	Monitor and Report	Monitor and Report
Total Suspended Solids	Monitor and Report	Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report	Monitor and Report
Total Phosphorus	Monitor and Report	Monitor and Report
Iron, Dissolved	Monitor and Report	Monitor and Report

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

1. Notification of Designation of Operator.
2. Remedial Measures if Unsatisfactory Effluent.
3. Discharge to Small Stream.
4. BAT/ELG Reopener.
5. Test Methods.
6. Change of Ownership.
7. Sludge Disposal Requirement.
8. May Require Data for Watershed Analysis.
9. Groundwater Monitoring Program.
10. No Stripper Tower Cleaning Water Discharge.
11. Stormwater Only Outfall.

**PA0026085**, Sewage, SIC 59, **Upper Merion Municipal Utility Authority**, 175 West Valley Forge Road, King of Prussia, PA 19406. This proposed facility is located in Upper Merion Township, **Montgomery County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge an annual average flow of 5.5 mgd of treated sanitary sewage from Matsunk Water Pollution Control Center located at 501 River Road & McCoy's Lane, Swedeland, PA 19406.

The receiving stream, Frog Run, is in the State Water Plan watershed 3F (Lower Schuylkill) and is classified for WWF, aquatic life, water supply and recreation. The point of first use is the Schuylkill River. The nearest downstream public water supply intake is for the City of Philadelphia-Queen Lane Intake located on the Schuylkill River.

The proposed effluent limits for Outfall 002 are based on a maximum monthly design flow of 6.88 mgd:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	
CBOD <sub>5</sub>					
(5-1 to 10-31)	1,033	1,549	18	27	36
(11-1 to 4-30)	1,434	2,180	25	38	50
Total Suspended Solids	1,721	2,582	30	45	60
Ammonia as N					
(5-1 to 10-31)	344		6.0		12.0
(11-1 to 4-30)	1,033		18.0		36.0
Total Residual Chlorine			0.5		1.2
Fecal Coliform			200#/100 ml as a geometric mean		
Dissolved Oxygen			minimum of 2.0 at all times		
pH			within limits of 6.0 to 9.0 Standard Units		

The proposed effluent limits for stormwater Outfall 003 are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Daily Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	
CBOD <sub>5</sub>					Monitor and Report
COD					Monitor and Report
Oil and Grease					Monitor and Report
pH					Monitor and Report
Total Suspended Solids					Monitor and Report
Total Kjeldahl Nitrogen					Monitor and Report
Total Phosphorus					Monitor and Report
Iron (Dissolved)					Monitor and Report
Fecal Coliform					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 Definition.
3. Remedial Measures.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change of Ownership.
7. Chlorine Disinfection.
8. Sludge Disposal Requirements.
9. TMDL/WLA Analysis.
10. WET Tests Required for Renewal.
11. Requirements Applicable to Stormwater Outfalls.
12. Operations and Maintenance Plan.
13. Pretreatment Program.
14. Laboratory Certification.

The EPA waiver is not in effect.

**PA0026131**, Sewage, SIC 59, **Upper Merion Municipal Utility Authority**, 175 West Valley Forge Road, King of Prussia, PA 19406. This proposed facility is located in Upper Merion Township, **Montgomery County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge an annual average flow of 6.0 mgd of treated sanitary sewage from Trout Run Water Pollution Control Center located at 900 Mancill Mill Road, King of Prussia, PA 19406.

The receiving stream, Schuylkill River, is in the State Water Plan watershed 3F (Lower Schuylkill) and is classified for WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is for the Pennsylvania American Water Company—Norristown District located on the Schuylkill River.

The proposed effluent limits for Outfall 002 are based on a design flow of 6.0 mgd:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	
CBOD <sub>5</sub>	1,251	1,876	25	40	50
Total Suspended Solids	1,501	2,252	30	45	60
Ammonia as N					
(5-1 to 10-31)	751		15		30
(11-1 to 4-30)	1,000		20		40
Total Residual Chlorine			0.5		1.2
Fecal Coliform			200#/100 ml as a geometric mean		
Dissolved Oxygen			minimum of 5.0 at all times		
pH			within limits of 6.0 to 9.0 Standard Units		

The proposed effluent limits for stormwater Outfall 001 are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Daily Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	
CBOD <sub>5</sub>					Monitor and Report
COD					Monitor and Report
Oil and Grease					Monitor and Report
pH					Monitor and Report
Total Suspended Solids					Monitor and Report
Total Kjeldahl Nitrogen					Monitor and Report
Total Phosphorus					Monitor and Report

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Daily Maximum</i>
Iron (Dissolved)					Monitor and Report
Fecal Coliform					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 Definition.
3. Remedial Measures.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change of Ownership.
7. Chlorine Disinfection.
8. Sludge Disposal Requirements.
9. TMDL/WLA Analysis.
10. WET Tests Required for Renewal.
11. Whole Effluent Toxicity (WET) Monitoring/Toxics Identification Evaluation/Toxics Reduction Evaluation.
12. Requirements Applicable to Stormwater Outfalls.
13. Operations and Maintenance Plan.
14. Pretreatment Program.
15. Laboratory Certification.

The EPA waiver is not in effect.

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

**Application No. PA 0014621**, Industrial Waste, SIC Code 4941, **United Water Pennsylvania** (Sixth Street Plant), 4211 East Park Drive, Harrisburg, PA 17111-0151. This facility is located in Susquehanna Township, **Dauphin County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-C and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Steelton Municipal Waterworks located on the Susquehanna River, approximately 6 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.554 mgd are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	30	60	75
pH		from 6.0 to 9.0 inclusive	
Total Iron	2.0	4.0	5.0
Total Aluminum	4.0	8.0	10
Total Manganese	1.0	2.0	2.5
Total Residual Chlorine	0.5	1.0	1.6

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 0248002**, Concentrated Animal Feeding Operation (CAFO), **Jobo Holstein Farms, LLC**, 200 Tall Oaks Road, Gettysburg, PA 17325.

Jobo Holstein Farms, LLC has submitted an application for an Individual NPDES permit for an expanded CAFO known as the Jobo Holstein Farm, located in Mount Pleasant Township, **Adams County**.

The CAFO is situated near a UNT of Swift Run (Watershed 7-F), which is classified for WWF. The CAFO will be designed to maintain an animal population of approximately 1,548 animal equivalent units consisting of 920 milking cows, 170 dry cows and 300 heifers. Manure will be stored in an existing 1.2-million gallon earthen/concrete-lined manure storage facility and a 0.7-million gallon earthen manure storage facility. Following the expansion, a new 7.2-million gallon HDPE-lined manure storage facility will be used and the 0.7-million gallon manure storage facility will be replaced with a concrete manure storage facility. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

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

**Application No. PA 0247961.** Contact Cooling Waters, SIC Code 3084, **HPE Extrusion Solutions**, 20 North Front Street, Bally, PA 19503. This facility is located in Bally Borough, **Berks County**.

Description of activity: The application is for issuance of an NPDES permit for new discharge of contact cooling water.

The receiving stream, UNT to West Branch of Perkiomen Creek, is in Watershed 3-E and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Philadelphia Suburban located on the Greenlane Reservoir, approximately 10 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.00015 mgd are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Oil and Grease	15	29	30
CBOD <sub>5</sub>			
(5-1 to 10-31)	13	26	32
(11-1 to 4-30)	26	52	
Temperature		110° F	
Total			
Suspended Solids	10	19	25
Total Phosphorus	0.5		1.25
pH		6.0 to 9.0 standard unit	
Ammonia Nitrogen	20	40	50

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 0032051.** Sewage, **Granville Township**, 100 Helen Street, Lewistown, PA 17044. This facility is located in Granville Township, **Mifflin County**.

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

The receiving stream, Juniata River, is in Watershed 12-A and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough is located on the Juniata River. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.500 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>	<i>Total Annual (lbs/year)</i>
CBOD <sub>5</sub>	25	40	50	
Total Suspended Solids	30	45	60	
Total Phosphorus				1,899
Total Nitrogen				15,196
Dissolved Oxygen		minimum of 5.0 at all times		
pH		from 6.0 to 9.0 inclusive		
Fecal Coliform		200/100 ml as a geometric average		
(5-1 to 9-30)		100,000/100 ml as a geometric average		
(10-1 to 4-30)				

In addition to the effluent limits, the permit contains the following major special condition: these limits are effective after BNR technology has been installed. Schedule to be determined.

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 0247731**, Industrial Waste, SIC Code 5499-03, **DS Waters of America**, 1761 Newport Road, Ephrata, PA 17522. This facility is located in West Earl Township, **Lancaster County**.

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

The receiving stream, stormwater swale to the Cocalico Creek, is in Watershed 7-J and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Lancaster Municipal Water Authority located on the Conestoga River, approximately 12 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.06 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
Total Phosphorus	1.0	2.0	2.5
Total Residual Chlorine	1.5	2.5	3.7
pH		from 6.0 to 9.0 inclusive	

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 0246581**, Concentrated Animal Feeding Operation (CAFO), **Mercer Vu Farms, Inc.**, 12275 Mt. Pleasant Road, Mercersburg, PA 17236.

Mercer Vu Farms, Inc. has submitted an application for renewal of an Individual NPDES permit for its farm located in Montgomery Township, **Franklin County**. The NPDES permit includes an expansion of the facilities and animal herd.

The CAFO is situated near a UNT of Johnston Run (Watershed 13-C), which is classified for WWF and MF. The CAFO will be designed to maintain an animal population of approximately 2,110 animal equivalent units consisting of 1,158 milking cows, 152 dry cows, 400 heifers and 220 calves. Manure will be stored in an existing 7.8-million gallon HDPE-lined manure storage facility and a 0.53-million gallon circular concrete storage tank. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

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

**Application No. PA 0248118**, Sewage, **Jay and Heather Kaufman**, 2395 Dunkard Hollow Road, Alum Bank, PA 15521. This facility is located in West St. Clair Township, **Bedford 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 Dunning Creek, is in Watershed 11-C and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Saxton Municipal Water Authority is located on the Raystown Branch Juniata River, approximately 68 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Total Residual Chlorine		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.

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

**PA0004685**, Industrial Waste, SIC, 3398, **Penna Flame Industries**, 1856 Route 588, Zelienople, PA 16063-9724. This application is for renewal of an NPDES permit to discharge treated process water and stormwater from metal hardening operations in Franklin Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, UNT to Connoquenessing Creek, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Beaver Falls Municipal Authority, located at Eastvale Borough, 18 miles below the discharge point.

*Outfall 001: existing discharge, design flow of 0.023 mgd.*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
TSS			30	60	
Oil and Grease			15		30
Iron			2	4	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0217077**, Industrial Waste, SIC, **Almac Machine Company, Inc.**, 205 Morgan Place, Johnstown, PA 15907. This application is for renewal of an NPDES permit to discharge treated process water and untreated stormwater/groundwater from Almac-Johnstown Plant in the City of Johnstown, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters of Little Conemaugh River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Saltsburg Municipal Water Works, located at 308 Point Street, Saltsburg, PA 15681, 49 miles below the discharge point.

*Outfall 302: existing discharge, design flow of 0.0072 mgd.*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Suspended Solids			30		60
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0253171**, Sewage, **Mount Pleasant Township Municipal Authority**, Box 158, Poker Road, Mammoth, PA 15664. This application is for issuance of an NPDES permit to discharge treated sewage from Mount Pleasant Township Wastewater Treatment Facility in Mt. Pleasant Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Sewickley Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority—McKeesport.

*Outfall 001: new discharge, design flow of 0.33 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)	5.5	8.3		11.0
(11-1 to 4-30)	16.5	24.8		33.0
Fecal Coliform	200/100 ml as a geometric mean			
(5-1 to 9-30)	2,000/100 ml as a geometric mean			
(10-1 to 4-30)	not less than 6.0 nor greater than 9.0			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0253103**, Industrial Waste, SIC 4925, **Great Lakes Energy Partners, LLC**, P. O. Box 235, Route 85 and Northern Avenue, Yatesboro, PA 16263. This proposed facility is located in Allegheny Township, **Cambria County**.

Description of Proposed Activity: Discharge of treated groundwater produced by the dewatering of coal seams during methane gas extraction.

The receiving stream, Clearfield Creek, is classified for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, chloride and sulfate, the existing downstream water supply considered during the evaluation is located in Shawville, PA, approximately 75.75 miles downstream of the discharge point.

The proposed effluent limits for Outfall 001 are:

Parameter	Concentration (mg/l)		
	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow		0.2	
Iron (total)	3.5		7
Oil and Grease	15		30
TSS	30		60
Acidity	Monitor Only	Monitor Only	Monitor Only
Alkalinity	Greater than Acidity	Greater than Acidity	Greater than Acidity
pH	6 to 9 standard units	6 to 9 standard units	6 to 9 standard units
Chloride	Monitor Only	Monitor Only	Monitor Only
TDS	Monitor Only	Monitor Only	Monitor Only
Osmotic Pressure	Monitor Only	Monitor Only	Monitor Only

The EPA waiver is in effect.

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

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

**WQM Permit No. 4006402, Can Do, Inc.**, One South Church Street, 200 Renaissance Center, Hazleton, PA 18201. This proposed facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action/Activity: This project consists of modifications and additions to the existing wastewater treatment plant for nutrient removal and increasing the hydraulic capacity of the treatment plant to the existing permitted capacity of 1 mgd.

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

**WQM Permit No. 3406401**, Sewerage, **John E. Groninger, Inc.**, P. O. Box 36, Mexico, PA 17056-0188. This proposed facility is located in Fermanagh Township, **Juniata County**.

Description of Proposed Action/Activity: Construction/Operation of a wastewater treatment plant to serve the proposed Arch Rock development and existing residences located in the vicinity of the project.

**WQM Permit No. 6706401**, Sewerage, **Red Lion Municipal Authority**, P. O. Box 190, Red Lion, PA 17356-0190. This proposed facility is located in Windsor Township, **York County**.

Description of Proposed Action/Activity: Replacement of the East Walnut Street Pump Station.

**WQM Permit No. 3874404, Amendment 06-1**, Sewerage, **Northern Lebanon County Authority**, P. O. Box 434, Jonestown, PA 17038. This proposed facility is located in Swatara Township, **Lebanon County**.

Description of Proposed Action/Activity: Construction/operation of the Blatt Subdivision Sanitary Sewer Pumping Station.

**WQM Permit No. 3106402**, Sewerage, **East Waterford Sewer Authority**, R. R. 1, Honey Grove, PA 17035. This proposed facility is located in Tuscarora Township, **Juniata County**.

Description of Proposed Action/Activity: Construction/operation of a gravity sewer system.

**WQM Permit No. 0687409, Amendment 06-1**, Sewerage, **Fleetwood Borough Authority**, 110 West Arch Street, Fleetwood, PA 19522-1322. This proposed facility is located in Richmond Township, **Berks County**.

Description of Proposed Action/Activity: Construction/operation of an upgraded sanitary sewer system.

**WQM Permit No. 0185405, Amendment 06-1**, Sewerage, **Biglerville Borough Authority**, 33 Musselman Avenue, P. O. Box 631, Biglerville, PA 17307. This proposed facility is located in Biglerville Borough and Butler Township, **Adams County**.

Description of Proposed Action/Activity: Construction/operation of an upgrade to the borough collection system.

**WQM Permit No. 2286407, Amendment 06-1**, Sewerage, **Highspire Borough Authority**, 7 Spring Hill Lane, Elizabethtown, PA 17022. This proposed facility is located in Highspire Borough, **Dauphin County**.



Description of Proposed Action/Activity: Upgrading of the existing wastewater treatment plant with new facilities to improve the plant's nitrogen and phosphorus removal.

**WQM Permit No. 667S059, Amendment 06-1**, Sewerage, **Antietam Valley Municipal Authority**, 502 Butter Lane, Reading, PA 19606-1604. This proposed facility is located in St. Lawrence and Exeter Townships, **Berks County**.

Description of Proposed Action/Activity: Upgrade to existing wastewater treatment plant including the addition of an influent screen, addition of a third settling tank and increase in capacity of the chlorine contact tank.

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

**WQM Permit No. 4905406**, Sewerage, **John Fogarty Development Corporation**, 4550 Westbranch Highway, Lewisburg, PA 17837. This proposed facility is located in Milton Borough, **Northumberland County**.

Description of Proposed Action/Activity: An application has been received for sewerage facilities for Rolling Ridge Subdivision. The proposed facilities include 4,100 lineal feet of 8 inch and 6 inch gravity sewer, a duplex pump station and 1,100 lineal feet of force main to connect to the existing Milton Regional Sewer Authority collection system.

**WQM Permit No. 5305401**, Sewerage, SIC 4952, **Galeton Borough Authority**, 4 Sherman Street, Galeton, PA 16922. This proposed facility will be located in Galeton Borough, **Potter County**.

Description of Proposed Action/Activity: The Authority proposes the replacement of the existing combined sewer system with separate sanitary and storm sewers in the North Sewershed of the Authority's collection system. The project will include a new sanitary interceptor, a new storm interceptor, the elimination of an existing inverted siphon, the installation of a new pump station and the replacement of a CSO manhole.

**WQM Permit No. 1906401** Sewerage 4952, **Millville Borough**, P. O. Box 30, Millville, PA 17846-0030. This proposed facility is located in Millville Borough, **Columbia County**.

Description of Proposed Action/Activity: Applicant has submitted a Water Quality Management application to increase the permitted annual average flow of the wastewater treatment plant from 0.250 mgd to 0.300 mgd.

**WQM Permit No. 1495201-T1**, Industrial Waste 3675, **Spectrum Control, Inc.**, 8031 Avonia Road, Fairview, PA 16415. This existing facility is located in Ferguson Township, **Centre County**.

Description of Proposed Action/Activity: Applicant seeks to transfer a WQM permit, which authorizes a groundwater extraction, treatment and recharge system at the former Murata Electronics site.

**WQM Permit No. 1406402**, Sewerage [SIC 4952], **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8499. This proposed facility will be located in Ferguson Township, **Centre County**.

Description of Proposed Action/Activity: The applicant seeks authorization to construct (and operate) a 15 inch diameter sewer interceptor across the existing Pennsylvania State University's Circleville Farm property and the Imbt, et al. property to serve the potential development and to receive current wastewater flow now tributary to one of the Authority's existing pump stations.

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

**WQM Permit No. 0406401**, Sewerage, **Borough of Ambridge Municipal Authority**, 600 Eleventh Street, Ambridge, PA 15003. This proposed facility is located in Ambridge Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for construction and operation of pump station improvement and sewer replacement.

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

**WQM Permit No. 0300401-A2**, Sewerage, **Garda's Restaurant**, R. D. 3, Box 382, Route 66, Ford City, PA 16226. This proposed facility is located in Manor Township, **Armstrong County**.

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

**WQM Permit No. 6506402**, Sewerage, **Ruth A. Testa**, 428 Truby Street, Greensburg, PA 15601. This proposed facility is located in Donegal Township, **Westmoreland 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. 6106401**, Sewerage, **Clintonville Borough Sewer and Water Authority**, P. O. Box 292, Clintonville, PA 16372. This proposed facility is located in Borough of Clintonville, **Venango County**.

Description of Proposed Action/Activity: This project is for the construction of a pump station and forcemain for domestic sewage for two homes and backwash form the existing wastewater treatment plant.

**WQM Permit No. 4306**, Sewerage, **Hermitage Municipal Authority**, 800 North Hermitage Road, Hermitage, PA 16148. This proposed facility is located in City of Hermitage, **Mercer County**.

Description of Proposed Action/Activity: This project is for the replacement/rehabilitation of the Bobby Run Interceptor Sewer.

**WQM Permit No. 2572405**, Sewerage Amendment No. 1, **McKean Township**, 9231 Edinboro Road, McKean, PA 16426. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: This project involves modifications to the Colonial Village sewer treatment plant.

**WQM Permit No. WQG018445**, Sewerage, **Melissa A. Hockenberry**, 390 Chestnut Street, Apt. No 10, Meadville, PA 16335. This proposed facility is located in Hayfield Township, **Crawford County**.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010906002	Palisades School District Palisades H. S. Athletic Fields 39 Thomas Free Drive Kintnersville, PA 18930	Bucks	Nockamixon Township	Rapp Creek (HQ-CWF)
PAI011506012	Charlestown Township Jenkins Tract 4030 Whitehorse Road Devault, PA 19432	Chester	Charlestown Township	Pigeon Run (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>
PAI021305004	Vacation Charters, Ltd. One Lake Drive Lake Harmony, PA 18624	Carbon	Kidder Township	Shingle Mill Run HQ-CWF
PAI024805017	Lehigh University 461 Webster Street Bethlehem, PA 18015	Northampton	City of Bethlehem	Saucon Creek HQ-CWF
PAI024805016	James H. Seitz 1700 Cherry Avenue Easton, PA 18040	Northampton	Forks Township	Bushkill Creek HQ-CWF
PAI026405003	Department of Transportation Engineering District 4-0 55 Keystone Industrial Park Dunmore, PA 18512	Wayne	Dreher Township	Mill Creek HQ-CWF
PAI026405007	Shook Family, LLC R. R. 1, Box 320 Hawley, PA 18428	Wayne	Palmyra Township	Wall Creek HQ-CWF
PAI024504020	Romec, Inc. P. O. Box 99 Pocono Lake, PA 18347-0099	Monroe	Middle Smithfield Township	Michael Creek HQ-CWF
PAI024505002	Fern Partners 257 Rimrock Road Stroudsburg, PA 18360	Monroe	Hamilton Township	Appenzell Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024506001	Sites Unlimited, Inc. P. O. Box 381 East Stroudsburg, PA 18301	Monroe	Pocono Township	Paradise Creek HQ-CWF

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701  
Potter County Conservation District: 107 Market Street, Coudersport, PA 16915, (814) 274-8411.*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI045306004	Galeton Borough Authority 4 Sherman Street Galeton, PA 16922	Potter	Galeton Borough	Pine Creek HQ-CWF

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

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

**PUBLIC WATER SUPPLY (PWS) PERMIT**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 1506501, Public Water Supply**

Applicant	<b>Downingtown Municipal Water Authority</b>
Borough	Downingtown
County	<b>Chester</b>
Responsible Official	John Lichman

Type of Facility	PWS
Consulting Engineer	BCM Engineers
Application Received Date	February 8, 2006
Description of Action	Construction of a pretreatment facility and filter air scour system at the Water Treatment Plant.

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

**Application No. 6706504, Minor Amendment, Public Water Supply.**

Applicant	<b>Delta Borough</b>
Municipality	Peach Bottom Township
County	<b>York</b>
Responsible Official	Timothy A. Haller Borough Council President 101 College Avenue P. O. Box 278 Delta, PA 17314

Type of Facility	Public Water Supply
Consulting Engineer	George W Ruby, P. E. Ruby Engineering 3605 Island Club Drive P. O. Box 278 North Port, FL 34288-6611
Application Received Date	2/2/2006
Description of Action	This PWS permit application is for the production well for the Delta Ridge subdivision in Peach Bottom Township.

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

**Permit No. 1706501, Construction, Public Water Supply.**

Applicant	<b>PA-American Water</b>
Township or Borough	Boggs and Decatur Townships
County	<b>Clearfield</b>
Responsible Official	Paul A. Zielinski Director, Environmental Mgmt. and Compliance 800 West Hersheypark Drive Hershey, PA 17033

Type of Facility	Public Water Supply—Construction
Consulting Engineer	Malcolm Taylor, P. E. Buchart Horn, Inc. 1200 West College Avenue State College, PA 16801
Application Received Date	February 17, 2006
Description of Action	Extension of existing facilities from Wallacetown to Drane in Clearfield County, including 68,000 feet of 8-inch ductile iron water line, two pressure reducing valve vaults, one booster station and one 100,000-gallon elevated water storage tank.

### WATER ALLOCATIONS

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

*Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**WA 67-62C, Water Allocations. York Water Company, Adams County.** This applicant is requesting to amend the previous Water Allocation Permit to expand the service area to include portions of Jackson Township and Paradise Township, **York County** and Abbottstown Borough and portions of Hamilton, Berwick and Oxford Townships in **Adams County**. Consulting Engineer: Ryan M. Ural, The York Water Company. Date Application Received: 2/10/2006.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995

##### PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial

area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Sunoco 0004-8413, Uwchlan Township, Chester County.** Susan E. Cameron, GES, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of North Point Prop. Owners Assoc., 15 E. Uwchlan Ave., Exton, PA 19341 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with lead and BTEX. The future use of the property will be commercial. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on December 19, 2005.

**WAWA Food Market 118, Caln Township, Chester County.** Tiffani Doerr, GES, Inc., 410 Eagleview Blvd. Suite 110, Exton, PA 19341 on behalf of Mayra Flores, Realty Income Corp., 220 W. Crest St., Escondido, CA 92025 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with unleaded gasoline, MTBE and VOC. The future use of the site will continue as the Wawa retail gasoline and convenience store. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on December 27, 2005.

**Former Anchor Glass Container Prop., Royersford Borough, Montgomery County.** Peter A. Malik, RT Env. Svc., Inc., 215 West Church Rd., King of Prussia, PA 19406 on behalf of Riverfront at Royersford, LP 721 Dresher Rd., Horsham, PA has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of lead, heavy metals, benzene and separated phase liquid. The future use of the site is that additional

housing will be made available to the surrounding community. A summary of the Notice of Intent to Remediate was reported to have been published in the *Spring-Ford Reporter* on July 29, 2004.

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

**Hercules Chemical Property (Former)** City of Clairton, **Allegheny County**. William A. Baughman, P. G. Cummings/Riter Consultants, Inc., 10 Duff Road, Suite 500, Pittsburgh, PA 15235 (on behalf of Hercules Inc. Research Center Building, 8139/15, 500 Hercules Road, Wilmington DE 19808-1599) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, heavy metals, BTEX, PAHs and SVOCs. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *McKeesport Daily News* on December 12, 2005.

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

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

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

*Renewal Applications Received*

**Ephrata Community Hospital**, P. O. Box 1002, 169 Martin Avenue, Ephrata, PA 17522. License No. PA-HC 0204. Received on December 29, 2005.

**The Cardinal Group, Inc.**, 828 N. Hanover Street, Pottstown, PA 19464. License No. PA-HC 0213. Received on February 1, 2006.

#### 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.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**Permit ID No. 301097. Horsehead Corporation**, 300 Frankfort Road, Monaca, PA 15061-2295. Horsehead Corporation Residual Waste Landfill, SR 18, Monaca, PA 15061. An application for the permit renewal of a class III residual waste landfill in Potter Township, **Beaver County**, was received in the Regional Office on February 15, 2006.

### 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.**

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

**06-05106A: SFS Intec, Inc.** (P. O. Box 6326, Wyomissing, PA 19610-6326) for construction of two paint spray booths controlled by dry filters and a drying oven in Exeter Township, **Berks County**. The construction of these new sources will result in the facility becoming a Title V facility.

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

**25-1006A: Lake Erie Biofuels, LLC** (1001 State Street, Erie, PA 16501-1814) for construction of a biodiesel production plant in City of Erie, **Erie County**. This is a State-only facility.

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

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

**46-0041D: Smurfit-Stone Container Enterprises, Inc.** (1035 Longford Road, Pheonixville, PA 19460) to install a new offset lithographic press at 1035 Longford Road, Upper Providence Township, **Montgomery County**. This plan approval will authorize the construction of the press and the transfer and use of VOC emission reduction credits (ERCs). The press is described in the applicant's application of March 23, 2005, and subsequent submissions.

Based on the information provided by the applicant and Department of Environmental Protection's (Department) own analysis, the operation of the press will emit 12.5 tons per year of VOCs.

Copies of the application, the Department's analyses and other documents used in evaluation of the application are available for public inspection during normal business hours at the address as follows.

To assure compliance with the applicable standards, the Department will place the following conditions on the plan approval: this Plan Approval is issued to the permittee for the installation of a sheetfed, nonheatset, offset lithographic print press, No. 3 Press.

*25 Pa. Code § 127.207—ERC generation and creation*

1. The permittee shall shutdown its North Wales Plant to generate 107.5 tons of VOC ERC.

2. Operating Permit No. TVOP-46-00062 is hereby revoked at the issuance of this Plan Approval.

*25 Pa. Code § 127.208—ERC use and transfer requirements*

1. The permittee shall use 77.6 tons from 107.5 tons VOC ERC, generated from shutting down its North Wales Plant, to offset the net VOC emission increase of 59.7 tons.

2. The remaining 29.9 tons VOC ERC are in the Department ERC Registry System for future offset or sell.

3. The lifetime of the 29.9 tons VOC ERC expires June, 2015.

*25 Pa. Code § 127.211—Applicability determination*

1. The permittee shall offset the VOC net emissions increase of 59.7 tons since January 1, 1991, as per 25 Pa. Code § 127.211(e).

2. The permittee shall provide VOC ERC at a 1.3:1.0 ratio to offset the VOC net emissions increase of 59.7 tons as per 25 Pa. Code §§ 127.211(e), 127.205(3) and 127.210.

The No. 3 Press shall be installed, maintained and operated in accordance with the plans submitted with the application and as approved.

*Emission Restrictions*

1. The total VOC from No. 3 Press shall not exceed 12.5 tons per year in a 12-month rolling sum.

2. The permittee shall meet one of the following requirements for the fountain solution used on the press:

a. Maintain the as applied VOC content of the fountain solution at or below 5.0% by weight; or

b. Maintain the as applied VOC content of the fountain solution at or below 8.5% by weight and refrigerate the fountain solution to 60° F or less; or

c. Maintain the as applied VOC content of the fountain at or below 10.0% by weight and refrigerate the fountain solution to 55° F or less.

3. The permittee shall meet one of the following requirements for blanket and roller cleaning solutions used on the press:

a. VOC content, as applied, is less than or equal to 30% by weight; or

b. VOC composite partial vapor pressure, as used, is less than or equal to 10 mmHg at 68°F.

4. Except specialty inks, the VOC content in the inks, as applied, shall not exceed 30% by weight.

*Testing Requirements*

1. The permittee shall determine the VOC content of fountain solution by one of the following procedures:

a. Analysis by USEPA Method 24 of a fountain solution sample; or

b. Calculation which combines USEPA Method 24 analytical VOC content data for the concentrated materials used to prepare the press ready fountain solution and records of the proportions in which they are mixed. The calculation shall only be performed once for each press ready fountain solution and kept in the form of a batch log. The analysis of the concentrated fountain solution may be performed by the suppliers of those materials.

2. The permittee shall determine the VOC content or VOC composite partial vapor pressure of cleaning solutions by one of the following procedures:

a. Analysis by USEPA Method 24 of a cleaning solution sample for VOC content or by an appropriate method for composite partial vapor pressure; or

b. Calculation which combines USEPA Method 24 analytical VOC content data for the concentrated materials used to prepare the press ready cleaning solution and records of the proportions in which they are mixed. The calculation shall only be performed once for each press ready cleaning solution and kept in the form of a batch log. The analysis of the concentrated cleaning solution may be performed by the suppliers of those materials; or

c. Calculation for VOC composite partial vapor pressure which combines analytical VOC vapor pressure data for the concentrated materials used to prepare the press ready cleaning solution and records of the proportions in which they are mixed. The analysis and vapor pressure determinations of the concentrated materials may be performed by the suppliers of the materials.

*Monitoring Requirements*

If using an automatic blanket wash system that mixes cleaning solution at the point of application, the permittee must demonstrate compliance with the VOC limitations for the blanket cleaning solutions and shall document that flow meters or fixed volume spray systems

result in the VOC content of the mixed solution complies with the VOC content in the blanket cleaning solutions.

*Recordkeeping Requirements*

1. The permittee shall collect and record the applicable information specified as follows:

a. The ink usage in pounds or gallons in a monthly basis; the percent by weight VOC and HAP content, as applied, and an estimate of VOC and HAP emissions. Alternately, the ink with the highest VOC and HAP content may be used to represent all inks used by the press.

b. The fountain solution and additive usage in pounds or gallons in a monthly basis; the percent by weight or weight to volume ration (lbs/gal) VOC and HAP content and an estimate of VOC and HAP emissions.

c. The blanket and roller cleaning solution usage in pounds or gallons in a monthly basis; the percent by weight or weight to volume ration (lbs/gal) VOC and HAP content and an estimate of VOC and HAP emissions.

d. For each month of operation, an estimate of VOC and HAP emissions during the latest 12 months.

2. The records shall be maintained at the facility for a minimum of 5 years and shall be made available to an authorized Department representative at any time during normal work hours.

*Work Practice Requirements*

1. The permittee shall keep all solvent containers closed at all times unless filling, draining or performing cleanup operations.

2. The permittee shall keep all solvent laden shop towels in a closed container when not being used.

The ERC-generating facility, Smurfit-Stone Container Enterprises, Inc. located at 500 Church Street, Upper Gwynedd Township, Montgomery County, has generated 107.5 tons VOC ERC. The ERCs were generated from shutdown VOC sources at the Upper Gwynedd Township plant in Montgomery County, 77.6 tons of the ERC will be transferred to Smurfit-Stone Container Enterprises, Inc. Oaks Plant for use as emission offsets for this construction. The remaining 29.9 tons VOC ERC will be banked into the Department's ERC Registry for future use.

Persons wishing to provide the Department with additional information they believe should be considered prior to the issuance of the Plan Approval may submit the information to the address shown as follows. Each written comment shall include the following:

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

2) Identification of the proposed Plan Approval No. 46-0041D.

3) Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

Requests for a public fact finding conference or hearing may also be made by writing the Department at the address shown as follows. A public conference may be held, if the Department in its discretion decides that a conference is warranted on the basis of the information received. Persons who have submitted comments or have requested a conference will be notified of the decision to hold a conference by publication in a newspaper or the *Pennsylvania Bulletin*, or by telephone, when the Department determines notification by telephone is sufficient.

Francine Carlini, Regional Manager, Air Quality, Department of Environmental Protection Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. For additional information, contact Xiaoyin Sun at (484) 250-5072.

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

**22-05035A: Eastern Industries, Inc.** (220 Park Road, P. O. Box 177, Winfield, PA 17889) to replace the existing primary jaw crusher, the existing grizzly and blacktop screens and to refurbish the dust collector that controls the blacktop plant at their Elizabethville quarry in Washington Township, **Dauphin County**. This is a non-Title V (State-only) facility. Standard recordkeeping and operating restrictions will be included to keep the facility operating within all applicable air quality requirements.

**67-05004K: P. H. Glatfelter Co.** (228 South Main Street, Spring Grove, PA 17362-0500) for use of calcium chloride as an antifreezing agent to railcar delivered coal during the months of January and February in Spring Grove Borough, **York County**. The replacement is expected to increase hydrogen chloride emissions by 20.2 tons per year. The plan approval will include performance testing, monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**67-05045B: Glen-Gery Corp.** (1090 East Boundary Avenue, York, PA 17403) for installation of a dry limestone adsorber on Tunnel Kiln No. 2 at the York Plant in Spring Garden Township, **York County**. The modification to the existing kiln is expected to decrease the facility's overall emissions of HAPs and PM. The facility is subject to 40 CFR Part 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing. The plan approval will include emission restrictions, monitoring, recordkeeping and reporting requirements and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

**42-178B: Glenn O. Hawbaker, Inc.** (Chaplin Hill Road, Turtlepoint, PA 16750) for modification of a plan approval to burn alternate fuels and fuel blends at Glenn O. Hawbaker, Inc. Plant No. 7, Turtlepoint Asphalt in Annin Township, **McKean County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval for modification of a plan approval to burn alternate fuels and fuel blends at Glenn O. Hawbaker, Incorporated, Plant No. 7-Turtlepoint Asphalt in Annin Township, McKean County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

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

**46-00027: Johnson and Johnson Pharmaceutical Research and Development LLC** (Welsh and McKean Roads, Spring House, PA 19477) in Lower Gwynedd Township, **Montgomery County**. This action is a renewal of the Title V Operating Permit. The initial permit was issued on June 27, 2001. A change of ownership was issued on March 30, 2005. The facility is primarily a research and development plant, with various manufacturing equipment, including boilers, emergency generators, laboratory hoods, manufacturing and packaging equipment and a synthesis center. The facility is major for VOC and NOx emissions. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring under to 40 CFR Part 64.

**09-00013: Wheelabrator Falls, Inc.** (1201 New Ford Mill Road, Morrisville, PA 19067) for a permit renewal to their Title V Operating Permit in Falls Township, **Bucks County**. The renewal Title V operating permit will contain additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. No changes have taken place at the facility since the previous permit was amended and issued on November 21, 2003. The facility is not subject to Compliance Assurance Monitoring under to 40 CFR Part 64.

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

**03-00023: Allegheny Energy** (800 Cabin Hill Drive, Greensburg, PA 15601) a Title V Operating Permit Renewal. For Armstrong Power Station in Washington Township, **Armstrong County**.

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

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

**N04-013: The Bellevue** (200 South Broad Street, Philadelphia, PA 19102) for operation of a hotel and shops in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 12.5 mmBtu/hr boilers.

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

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

## 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.*

**30841316 and NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company** (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Bailey Mine and Prep Plant in Richhill Township, **Greene County** to install the Crabapple Overland Belt, Surface Acres Proposed 263.0. No additional discharges. Application received December 23, 2005.

**32061301 and NPDES Permit NA, Parkwood Resources, Inc.** (P. O. Box 552, Somerset, PA 15501-0552), to operate the Starford Mine in Green and Cherryhill Townships, **Indiana County**, a new underground mine and related NPDES permit. Receiving stream: Pompey Run, classified for the following use: CWF. Application received January 6, 2006.

**30841307 and NPDES Permit No. PA0213438, Emerald Coal Resources, LP** (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Franklin Township, **Greene County** to add underground permit and subsidence control plan area acres for development mining. Underground acres proposed 143.0, SCP acres proposed 143.0. No additional discharges. Application received January 9, 2006.

**32901601 and NPDES Permit No. PA0123586, Millcreek Processing** (P. O. Box 435, Seward, PA 15954), to renew the permit for the Challenger Coal Yard in East Wheatfield Township, **Indiana County** and related NPDES permit. No additional discharges. Application received January 23, 2006.

**24991301 and NPDES Permit No. PA0235466, Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201), to revise the permit the Little Toby Mine in Horton Township, **Elk County** to add surface acres to construct a treatment pond. Surface acres proposed 1.3. No additional discharges. Application received January 30, 2006.

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

**32050103 and NPDES No. PA0249734, Amerikohl Mining, Inc.**, P. O. Box 427, Acme, PA 15610-0427, revision of an existing bituminous surface mine to add 4.1 acres of Lower Freeport coal with additional support area to the current active permit site in Center Township, **Indiana County**, affecting 79.8 acres. Receiving streams:

UNTs to Two Lick Creek and Two Lick Creek classified for the following uses: CWF and TSF. There are no potable water supply intakes within 10 miles downstream. Application received February 10, 2006.

**11910101 and NPDES No. PA0599093, E. P. Bender Coal Company, Inc.**, P. O. Box 594, Carrolltown, PA 15722-0594, permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Reade Township, **Cambria County**, affecting 88.0 acres. Receiving streams: UNT to/and Powell Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 10, 2006.

**11850111 and NPDES No. PA0597490, E. P. Bender Coal Company**, South Main Street, P. O. Box 565-566, Carrolltown, PA 15722-0565, permit renewal for reclamation only of a bituminous surface-auger mine in Dean Township, **Cambria County**, affecting 170.3 acres. Receiving streams: UNT to Brubaker Run and Brubaker Run classified for the following uses: CWF; CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 10, 2006.

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

**65010102 and NPDES Permit No. PA0202967, Coal Loaders, Inc.** (210 E. main St., P. O. Box 556, Ligonier, PA 15658). Revision application for additional acreage and to mine the Sewickley coal seam, located in Fairfield Township, **Westmoreland County**, affecting 146.8 acres. Receiving streams: Hypocrite Creek, Hannas Run and UNTs to Hypocrite Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Revision application received: February 10, 2006.

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

**33813020 and NPDES Permit No. PA0603465, Leonard Yenzi** (P. O. Box 62, Anita, PA 15711). Transfer of an existing bituminous surface strip and beneficial use of coal ash operation in Winslow Township, **Jefferson County** affecting 270.0 acres. Receiving streams: two UNTs to Front Run; Front Run, UNT to Trout Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from John R. Yenzi, Jr. Application received: February 16, 2006.

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

**59060101 and NPDES Permit No. PA0256315, Phoenix Resources, Inc.** (782 Antrim Road, Wellsboro, PA 16901), commencement, operation and restoration of a bituminous surface mine, with proposed postmining land use which will be a sanitary landfill, in Duncan Township, **Tioga County**, affecting 76.5 acres. Receiving streams: Rock Run to Babb Creek, classified for the

following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 13, 2006.

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

**54900105R3 and NPDES Permit No. PA0594822. Tuscarora Mines & Minerals Corporation** (P. O. Box 116, Tuscarora, PA 17982), renewal of an existing anthracite surface mine and discharge of treated mine drainage operation in Schuylkill Township, Schuylkill County affecting 40.0 acres. Receiving stream: **Schuylkill River**. Application received February 7, 2006.

**40-305-001GP12. Northampton Fuel Supply Co., Inc.** (1 Horwith Drive, Northampton, PA 18067), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on an existing anthracite surface mining permit No. 40663029 in Foster Township, Jeddo Borough, **Luzerne County**. Application received February 7, 2006.

**54851305R4. D & F Deep Mine Coal Co.** (207 Creek Road, Klingerstown, PA 17941), renewal of an existing anthracite underground mine operation in Cass Township, **Schuylkill County** affecting 1.08 acres. Receiving stream: none. Application received February 13, 2006.

**54851332R4 and PA0595756. RS & W Coal Company** (207 Creek Road, Klingerstown, PA 17941), renewal of an existing anthracite underground mine operation in Norwegian Township, **Schuylkill County** affecting 2.1 acres. Receiving stream: West Branch Schuylkill River. Application received February 13, 2006.

*Coal Applications Returned*

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

**35000201. Northampton Fuel Supply Co., Inc.** (1 Horwith Drive, Northampton, PA 18067), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Carbondale Township and Mayfield Borough, **Lackawanna County** affecting 414.0 acres. Application received May 4, 2000. Application returned February 21, 2006.

*Noncoal Applications Received*

*Effluent Limits*

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

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

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

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

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

**02010301 and NPDES Permit No. PA0202916. Redland Brick, Inc.** (Rich Hill Road, Rd 3, Cheswick, PA 15024). Renewal application for continued operation and reclamation of a noncoal surface mine, located in Harmar Township, **Allegheny County**, affecting 48 acres. Receiving stream: Deer Creek, classified for the following use: TSF. The potable water supplies intake within 10 miles downstream from the point of discharge: Municipal Authority of the Borough of Oakmont, Wilkesburg-Penn Joint Water Authority and the Pittsburgh Water & Sewage Authority. Renewal application received: February 13, 2006.

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

**46010801C3 and NPDES Permit No. PA0224502. Chestnut Hill Stone, LTD** (P. O. Box 39, Glenside, PA 19038), correction of an existing quarry operation to include NPDES Permit for discharge of treated mine drainage in Cheltenham Township, **Montgomery**

**County** affecting 3.0 acres, receiving stream: Tookany Creek, classified as TSF. Application received February 8, 2006.

**FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Individuals will be notified, in writing, of the time and place of a scheduled hearing or conference

concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on each working day at the regional office noted before the application.

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E46-988. Bridgeview Development Associates, LP**, 700 South Henderson Road, Suite 225, King of Prussia, PA 19406, Borough of Bridgeport, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain the following water obstructions and encroachment activities associated with a proposed Bridgeview Residential Community comprised of condos, townhouses and apartments situated within the 100-year floodplain of the Schuylkill River (WWF, MF):

- 1) A 24-inch RCP stormwater outfall (EW-1) to the Schuylkill River at the terminus of Road G.
- 2) A 30-inch RCP stormwater outfall (EW-2) to the Schuylkill River at the terminus of Depot Street.
- 3) An 18-inch RCP stormwater outfall (EW-3) to the Schuylkill River between building 3 and building 4.
- 4) A 24-inch RCP stormwater outfall (EW-4) to the Schuylkill River at the terminus of Road D.
- 5) A 24-inch RCP stormwater outfall (EW-5) to the Schuylkill River at the terminus of Road E.
- 6) A 24-inch RCP stormwater outfall (EW-6) to the Schuylkill River at the terminus of Road F.
- 7) Grading activities associated with Road A, associated parking areas, two tennis courts and a pedestrian trail in the 100-year floodway.
- 8) Placement of fill within an 880-foot section of the abandoned Schuylkill Canal.
- 9) Various utilities line crossings of the former canal and 100 year floodway to serve the proposed development.

The site is located between Front Street and the Schuylkill River from approximately Mill Street to Vine Street (Norristown, PA; N 22.3 inches; W 13.00 inches).

**E09-892. Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Durham Township, **Bucks County**, ACOE Philadelphia District.

To remove two bridges along Lehnenberg Road (SR 406 section 01B) situated in close proximity to each other at Station .18+05 and 19+67, respectively. Each existing bridge measures 21 feet long and 16 feet wide and each will be replaced with 75-foot long and 24-foot wide structures with similar vertical and horizontal alignment across Rodges Run (TSF). The bridges are located in the

vicinity of the intersection of Lehnenberg Road and Mine Hill Road (Reiglesville, PA—NJ USGS Quadrangle N: 13.0 inches; W: 9.80 inches).

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

**E48-368. Ron Del Development Company**, 3242 Farmersville Road, Bethlehem, PA 18020, in Lower Nazareth Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain an approximate 2,350-foot long channel change and a road crossing consisting of four 11.5-foot by 3-foot box culverts in a tributary to Monocacy Creek (HQ-CWF). The work is associated with a proposed 30 lot residential subdivision known as Colt's Run South. The project is located on the south side of T437 (Hecktown Road), approximately 2,500 feet east of SR 0191 (Nazareth, PA Quadrangle N: 12.3 inches; W: 10.6 inches).

**E45-486. Hannig Development, LLC**, 200 Plaza Court, Suite A, East Stroudsburg, PA 18301, in Tobyhanna Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain two stormwater outfall channels in the floodway of Tobyhanna Creek (HQ-CWF) for the purpose of conveying stormwater runoff from a proposed 128 lot residential development known as Keswick Pointe. The project is located on the north side of Tobyhanna Creek, approximately 0.75 mile north of the intersection of SR 0115 and SR 0080 (Blakeslee, PA Quadrangle N: 15.7 inches; W: 11.2 inches).

**E13-147. Gerald F. Strubinger**, 555 West 10th Street, Jim Thorpe, PA 18229, Jim Thorpe Borough, **Carbon County**, United States Army Corps of Engineers, Philadelphia District.

To authorize the previous placement of fill in the floodway of Silk Mill Run (HQ-CWF) for the purpose of preparing the site for a mobile home park. The project is located in approximately 0.25 mile east of the SR 0903 bridge over the Lehigh River. (Lehighon, PA Quadrangle N: 21.9 inches; W: 14.9 inches).

**E39-457. Jamm Realty**, 520 Route 22, P. O. Box 6872, Bridgewater, PA 08807, in City of Allentown, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in the floodway of Trout Creek (HQ-CWF) and to construct and maintain an outfall to Trout Creek consisting of a 36-inch diameter pipe and wall and riprap apron. The project is located on the east side of SR 2002 (West Nisenna Avenue) approximately 300 feet north of the I-78 overpass. (Allentown East, PA Quadrangle N: 11.6 inches; W: 13.4 inches).

**E13-152. Lansford Borough**, 26 East Patterson Street, P. O. Box 126, Lansford, PA 18232-0126, in Lansford Borough, **Carbon County**, United States Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain two stormwater outfalls to Panther Creek (HQ-CWF), the first consisting of a 6-foot by 3-foot concrete box culvert with a reno mattress apron and the second consisting of a 36-inch HDPE pipe with an endwall and a reno mattress apron. The projects are located approximately 50 feet and 400 feet upstream of Edgemont Drive. (Tamaqua, PA Quadrangle N: 15.2 inches; W: 1.4 inches).

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

**E36-806: Manheim Township**, 1840 Municipal Drive, Lancaster, PA 17601 in Manheim Township, **Lancaster County**, ACOE Baltimore District.

To relocate approximately 130 feet of Bachman Run (WWF) for the purpose of widening Buckwalter Road and to replace an existing 23-foot long, 29-inch by 42-inch CMP culvert with a 51-foot long, 29-inch by 45-inch Class IV HERCP culvert beneath Buckwalter Road (Lititz, PA Quadrangle N: 0.2"; W: 9.6"; Latitude: 40° 07' 33.3" N; Longitude: 76° 19' 17.6" W) in Manheim Township, **Lancaster County**.

**E22-498: Old Reliance Partnership**, 627 South 26th Street, Harrisburg, PA 17111 in Lower Swatara Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain an 84-foot long, 73-inch by 55-inch CMAP road crossing and a total of 46 linear feet of riprap scour protection upstream and downstream of the crossing on a UNT to Swatara Creek (WWF) and within 0.20 acre of associated PEM wetlands; install and maintain an 8-inch PVC sanitary sewer line above the proposed culvert carrying the UNT to Swatara Creek; install and maintain 55 linear feet of 8-inch PVC sanitary sewer line impacting 0.01 acre of PEM wetlands; and construct and maintain 0.20 acre of replacement PEM wetlands all at a site (Steelton, PA Quadrangle, N: 20.9 inches; W: 1.6 inches; Latitude 40° 14' 28"; Longitude: 76° 45' 44") west of Powderhorn Road approximately 0.75 mile northwest of the intersection of Oberlin Road (SR 441) and I-283 in Lower Swatara Township, Dauphin County.

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

**E41-558. Lycoming County**, 48 West Third Street, Williamsport, PA 17701. Lycoming County Landfill in Brady Township, **Lycoming County**, Baltimore ACOE District (Montoursville South, PA Quadrangle N: 4.84 inches, W: 6.00 inches).

The applicant proposes to construct and maintain improved stormwater management and sediment control facilities at the existing Lycoming County Landfill. The proposed activities will permanently impact 11 wetlands and will result in 0.31 acre of impact to Palustrine Emergent (PEM) wetlands and 0.07 acre of impact to Palustrine Forested (PFO) wetlands. The applicant proposes to provide 0.46 acre of replacement wetlands to compensate for unavoidable wetland impacts from the project. The overall project area is located in State Water Plan Subbasin 10C, approximately 11 miles south of Williamsport and west of SR 15. The replacement wetland site is located approximately 0.45 mile east of the impact areas, east of SR 15 and within the same watershed.

**E41-556. Loyalsock Township**, 2501 East Third Street, Williamsport, PA 17701. Small Projects Water Obstruction and Encroachment Joint Permit, in Loyalsock Township, **Lycoming County**, ACOE Susquehanna River Basin District (Montoursville South, PA Quadrangle N: 22.23 inches; W: 7.95 inches).

To construct and maintain 750 linear feet of an 8-foot wide asphalt bikeway in the floodway of Miller's Run, all of which is located between the SR 2029 and SR 2014 bridge in Loyalsock Township, Lycoming County. This project does not propose to impact any wetlands.

**E41-557. Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. Application for SR 0442 Segment 0030 Little Muncy Creek bridge replacement, in Muncy Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Hughesville, PA Quadrangle N: 14.00 inches; W: 16.00 inches).

To remove an existing steel bridge and construct and maintain a single span steel girder, concrete deck bridge having a span of 125.9 feet, with a minimum underclearance of 12.00 feet on a skew of 70° over Little Muncy Creek located along SR 0442 Segment 0030 Offset 0000, Muncy Creek Township, Lycoming County. This project proposes to have a minimal impact on Little Muncy Creek, which is designated a HQ-CWF. This project does propose to impact jurisdictional wetlands.

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

**E56-339. Roger Alms, Highlands Development Group, Inc.**, 608 Westland Drive, Greensburg, PA 15601. To place fill in wetlands 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"). The applicant proposes to place and maintain fill in a reported 0.31 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 project is located along Laurel Crest Road at the Turnpike, Somerset Exit 110.

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

**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 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 tributary 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.

#### ENVIRONMENTAL ASSESSMENTS

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

**D11-091EA. Frankie Graham**, 612 Locust Street Johnstown, PA 15901 Croyle Township, **Cambria County**, ACOE Pittsburgh District.

Project proposes to breach and remove a UNT dam across Laurel Run (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 125 linear feet of stream channel. The dam is located approximately 4,100 feet northeast of the intersection of

Jackson Street (SR 3043) and New Germany Road (SR 2009) (Nanty Glo, PA Quadrangle N: 1.9 inches; W: 0.85 inch).

**D65-108EA Tim Grantz, Chairperson, Borough of West Leechburg**, 1015 Plaza Street, West Leechburg, PA 15656, West Leechburg Borough, **Westmoreland County**, ACOE Pittsburgh District.

Project proposes to breach and remove West Leechburg Reservoir across Penn Run (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 1,500 linear feet of stream channel. The dam is located approximately 1,000 feet north of the

intersection of Sixth Street and Main Street. (Leechburg, PA Quadrangle N: 2.7 inches; W: 16.3 inches).

**D60-055EA. Troy Eichenlaub**, 2808 New Berlin Mountain Road, Mifflinburg, PA 17844, Buffalo Township, **Union County**, ACOE Baltimore District.

Project proposes to breach and remove Bailey Dam across a tributary to Turtle Creek (WWF) for the purpose of restoring the stream to a free flowing condition. The project will restore approximately 80 feet of stream channel. The dam is located approximately 800 feet northeast of the intersection of Turkey Run Road (T327) and New Berlin Mountain Road (SR 2003) (Lewisburg, PA Quadrangle N: 6.65 inches; W: 12.1 inches).

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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>
PA0037141 (IW)	Fish and Boat Commission Huntsdale Fish Hatchery 1735 Shiloh Road State College, PA 16801	Cumberland County Penn Township	Yellow Breeches and a UNT 7-E	N
PA0088269 (SEW)	Quincy Sewer Authority 7575 Mentzer Gap Road Waynesboro, PA 17268	Franklin County Quincy Township	West Branch Antietam Creek 13-C	Y
PA0080624 (IW)	Dr. Gopal Saxena B & W Quality Growers, Inc. 17825 79th Street Fellsmere, FL 32948	Cumberland County South Middleton Township	Letort Spring Run 7-B	Y
PA0032379 (IW)	Safe Harbor Water Power Corporation One Powerhouse Road Conestoga, PA 17516	Lancaster County Manor Township	Conestoga River (Outfall 001) and Susquehanna River (Outfall 002) 7-J	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>
PA0228176	Harrison Valley Wastewater Treatment Plant 205 East Main Street Harrison Valley, PA 16927	Harrison Township Potter County	Cowanesque River (SWP 4A)	Y
PA0033910	Northeast Bradford School District R. R. 1, Box 211B Rome, PA 18837	Orwell Township Bradford County	Johnson Creek (SWP 4D)	Y
PA0032409 IW	Department of Conservation and Natural Resources Bureau of State Parks 4205 Little Pine Creek Waterville, PA 17776	Clinton County Chapman Township	Log Road Hollow Run 9B	Y
PA0036846 SP	New Berlin Municipal Authority Box 473 New Berlin, PA 17855	Union County New Berlin Borough	Penns Creek 6A	Y
PA0209384 SP	Lawrence Township Municipal Authority R. R. 2, Box 120C Tioga, PA 16946	Tioga County Lawrence Township	Tioga River 4A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0021521	Smethport Borough Authority 210 West Water Street Rear P. O. Box 152 Smethport, PA 16749	Smethport Borough McKean County	Potato Creek 16-C	Y
PA0223131	Living Church International, Inc. 1087 Pine Run Road Fairmount City, PA 16224	Redbank Township Clarion County	UNT to Pine Creek 17-C	Y
PA0100935	Maple Winds Mobile Home Park 89 Gill Road Grove City, PA 16127	Pine Township Mercer County	UNT to Wolf Creek 20-C	Y
PA0034916	Werner Co.—Greenville Division 93 Werner Road Greenville, PA 16125-9499	Sugar Grove Township Mercer County	Little Shenango River 20-A	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>
PA0223026	St. Petersburg Borough Water Treatment Plant P. O. Box 235 St. Petersburg, PA 16054-0235	Richland Township Clarion County	UNT to Clarion River 17-B	Y
PA0000256	PA American Water—Punxsutawney 800 West Hersheypark Drive Hershey, PA 17033	Gaskill Township Jefferson County	East Branch Mahoning Creek 17-D	Y
PA0005304	United Refining Company 15 Bradley Street Warren, PA 16365	City of Warren Warren County	Allegheny River and Glade Run 16-B	Y
PA0028371	Youngsville Borough Sewage Treatment Plant 40 Railroad Street Youngsville, PA 16371	Youngsville Borough Warren County	Brokenstraw Creek 16-B	Y
PA0036587	Allegheny Forest Resort 1370 Sharon-Hogue Road Masury, OH 44438	Howe Township Forest County	UNT to Blue Jay Creek	Y
PA0221759	Robert L. Shuttleworth 923 Fern Road St. Marys, PA 15857	Jones Township Elk County	UNT to East Branch Clarion River 17-A	Y

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

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

**NPDES Permit No. PA0029441**, Sewage, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This proposed facility is located in Upper Dublin Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal and transfer to discharge into a UNT to Sandy Run in Watershed 3F.

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

**NPDES Permit No. PA0081272**, Sewage, **Michael Lewis, Plant Manager, Galaxy Tire and Wheel**, 207 Redco Avenue, P. O. Box 110, Red Lion, PA 17356. This proposed facility is located in Red Lion Borough, **York County**.

Description of Proposed Action/Activity: Permit cancelled.

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

**NPDES Permit No. PA0040835**, Industrial Wastewater (SIC Code 0921), **Fish and Boat Commission, Bellefonte State Fish Hatchery**, 1150 Spring Creek Road, Bellefonte, PA 16823-8458. This facility is located in Benner Township, **Centre County**.

Description of Action/Activity: The applicant has been issued a renewal of NPDES permit (PA0040835) for two discharges (Outfall 001 and Outfall 002) of treated industrial wastewater generated at the Bellefonte State Fish Hatchery.

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

The effluent limits for Discharge 001, based on a design flow of 3.168 mgd, are:

<i>Parameter</i>	<i>Mass (lbs)</i>		<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum mg/l</i>
	<i>Total Annual</i>	<i>Total Monthly</i>	<i>Average Monthly Report</i>	<i>Maximum Daily Report</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Flow (mgd)					Within range 6.0 to 9.0		
pH (S.U.)					Report	Report	
D. O.					5.0	10.0	12.5
CBOD <sub>5</sub>	Report	Report	132	264	6.0	12.0	15.0
TSS			158	317	0.3	0.6	0.75
Dissolved P			7.9	15.6	Report	Report	
Total P	Report	Report			0.7	1.4	2.1
NH <sub>3</sub> -N			18.5	37.0	1.0	2.0	2.5
Formaldehyde			26.4	52.8	Report	Report	
Total N	Report	Report			Report	Report	
Kjeldahl N					Report	Report	

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

The effluent limits for Discharge 002, based on a design flow of 3.888 mgd, are:

Parameter	Mass (lbs)		Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Total Annual	Total Monthly	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Flow (mgd)			Report	Report			
pH (S.U.)					Within range 6.0 to 9.0		
D. O.					Report	Report	
CBOD <sub>5</sub>			162	324	5.0	10.0	12.5
TSS	Report	Report	194	389	6.0	12.0	15.0
Dissolved P			9.7	19.5	0.3	0.6	0.75
Total P	Report	Report			Report		
NH <sub>3</sub> -N		Report	22.7	45.4	0.7	1.4	2.1
Formaldehyde			32.4	64.9	1.0	2.0	2.5
Total N	Report	Report			Report		
Kjeldahl N		Report			Report		
NO <sub>2</sub> /NO <sub>3</sub> -N		Report			Report		
Particulate Org. Carbon	Report	Report	Report		Report		

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

- Part C I. Solids Management.
- Part C II. Affirmative Defense Provisions.
- Part C III. Therapeutic Chemical Use Requirements.
- Part C IV. BMP Implementation to maintain liner and baffles in existing polishing pond and install high capacity microscreen or microfilter units.
- Part C V. Schedule of Compliance and limits on biomass production if schedules are not maintained.
- Part C VI. Allowable Annual TSS Effluent Loading—49,430 pounds per year.

The applicant may submit a Social or Economic Justification for use of florfenicol, a therapeutic chemical. If the Department of Environmental Protection approves the use of florfenicol, the permit will be amended to include florfenicol as a therapeutic chemical following the public notice requirements for major amendments/permit issuance.

**PA0028631**, Sewerage 4952, **Mid-Cameron Authority**, 421 North Broad Street, Emporium, PA 15834. The existing facility is located in Shippen Township, **Cameron County**.

Description of Proposed Activity: The applicant is approved to amend the existing permit in light of treatment upgrades that are proposed for the facility. The NPDES amendment will contain one outfall for treated (advanced secondary, with nutrient removal) sewage and one outfall combined sewage overflow (primary treatment, plus disinfection) when necessary. The combined sewage overflow was previously untreated. The amendment also approves an increase of flow capacity from 0.525 mgd to 1.0 mgd and biological nutrient removal. There will be no change to the existing limits at the facility prior to the plant upgrades.

Discharge Parameters for Outfall 001 at 1.0 mgd annual average design flow (up to 3.7 mgd wet weather flow) following the treatment plant upgrades will be as follows:

Parameter	Average Monthly (mg/l)	Daily Maximum (mg/l)
Flow		Monitor and Report
CBOD <sub>5</sub>	15	30
(10-1 to 4-30)	(18)	(36)
TSS	30	60
Fecal Coliform	200/1,000 ml	1,000/100 ml
(10-1 to 4-30)	(2000/1,000 ml)	10,000/100 ml
Total Cl <sub>2</sub> Residual	0.36	1.18
pH	Within the Range of 6.0 to 9.0	
Kjeldahl-N	Monitor and Report	
NH <sub>3</sub> -N	6	12
Nitrite/Nitrate-N	Monitor and Report	
Total Nitrogen	17,100 lbs/year	
Total Phosphorus	2,140 lbs/year	



Discharge Parameters for Outfall 002 (combined sewage overflow):

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>
Fecal Coliform		Monitor (1 per event)
Total Suspended Solids		Monitor (1 per event)
CBOD <sub>5</sub>		Monitor (1 per event)

*Special Condition Summary:*

1. Compliance Schedule.
2. Discharge Monitoring Reports.
3. Management and Control of Combined Sewage Overflows.
4. Implementation of Water Quality-Based Long-Term Control Plan.
5. Requirements Applicable to Stormwater Outfalls.

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

**NPDES Permit No. PA0027138**, Sewage Amendment No. 1, **City of Sharon**, 155 West Connelly Boulevard, Sharon, PA 16146. This proposed facility is located in City of Sharon, **Mercer County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to the Shenango River in Watershed 20-A.

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

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

**WQM Permit No. 4602202 Amendment**, Industrial, **Unitech Services Group**, 401 North Third Avenue, Royersford, PA 19468. This proposed facility is located in Royersford Borough, **Montgomery County**.

Description of Action/Activity: Expand their nuclear laundry facility.

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

**WQM Permit No. 4905405**, Sewerage 4952, **Borough of Riverside**, P. O. Box 307, Riverside, PA 17868.

This proposed facility is located in Riverside Borough, Northumberland County. The Borough has been granted a Water Quality Management permit to construct a wastewater pumping station and sanitary sewer force main extension to serve 45 lots in the proposed River Hill Phase Two development. The collected sewage from this extension will be conveyed to the existing Danville Borough Wastewater Treatment Plant.

**WQM Permit No. 1204401**, Sewerage 4952, **Mid-Cameron Authority**, 421 North Broad Street, Emporium, PA 15834. This existing facility is located in Shippen Township, **Cameron County**.

Description of Proposed Action/Activity: Mid-Cameron Authority is approved for permit amendment for WQM Permit No. 1204401 in Shippen Township, Cameron County. The amendment includes a proposed Combined Sewage Overflow (CSO) treatment process (primary treatment, plus disinfection). This amendment also approves additions to the Sequencing Batch Reactor to provide biological nutrient removal. The approved treatment designs will provide for the existing needs as identified in the Act 537 Plan, reduce CSO events, and address the Chesapeake Bay Program nutrient reduction efforts.

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

**WQM Permit No. 0405404**, Sewerage, **Economy Borough Municipal Authority**. This proposed facility is located in Economy Borough, **Beaver County**.

Description of Proposed Action/Activity: Issuance for the construction and operation of pump station upgrade and force main replacement.

**WQM Permit No. 5605402**, Sewerage, **Elk Lick Energy, Inc.**, P. O. Box 240, Friedens, PA 15541. This proposed facility is located in Lincoln Township, **Somerset County**.

Description of Proposed Action/Activity: Issuance for the construction and operation of the sewage treatment plant facility.

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

**WQM Permit No. WQG018438**, Sewerage, **Kayle A. Kitcey**, 13004 Ridge Road, West Springfield, PA 16443. This proposed facility is located in Springfield Township, **Erie County**.

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

**WQM Permit No. WQG018441**, Sewerage, **Gary E. Dunworth, Jr.**, 90 District Road, Greenville, PA 16125. This proposed facility is located in Delaware Township, **Mercer County**.

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

**WQM Permit No. WQG018444**, Sewerage, **Brian Deane**, 23525 Highway 27, Meadville PA 16335. This proposed facility is located in East Mead Township, **Crawford County**.

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

**WQM Permit No. 1605405**, Sewerage, **Emlenton Area Municipal Authority**, Box 448, Emlenton, PA 16373-0448. This proposed facility is located in Richland Township, **Clarion County**.

Description of Proposed Action/Activity: This permit approves construction of and operation of sewerage wastewater facilities consisting of a 0.5 meter belt filter press.

**WQM Permit No. 2505403**, Sewerage, **Municipal Authority of the Borough of Edinboro**, 124 Meadville Street, Edinboro, PA 16412-2502. This proposed facility is located in Borough of Edinboro, **Erie County**.

Description of Proposed Action/Activity: This project is for the reconstruction of sanitary sewer lines on Maple Drive and Chestnut Street in the Borough of Edinboro.

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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>
PAI011505080	Main Line Health Paoli Hospital Expansion 937 Haverford Road Bryn Mawr, PA 19010	Chester	Willistown Township	Valley Creek (EV)

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

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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

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

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
West Goshen Township Chester County	PAG2001506001	Lance Rothstein Margarita's Site Development 521 West Lancaster Avenue Haverford, PA 19041	UNT Chester Creek (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Garden Township Chester County	PAG2001505100	Garden Rose, LLC Hamilton Property 5 Hillside Lane Landenberg, PA 19350	UNT Egypt Run (CWF)	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>
New Garden Township Chester County	PAG2001505099	Wilkinson Distinction, LP Braestone Woods 1020 Broad Run Road Landenberg, PA 19350	Egypt Run (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
London Grove Township Chester County	PAG2001505062	The Barness Organization Green and Porter Properties 9 South Easton Road Warrington, PA 19876	Mid Branch White Clay Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Oxford Borough Chester County	PAR10G404R	Michael Pia Sycamore Crossing P. O. Box 1037 Kennett Square, PA 19348	UNT Tweed Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Chichester Township Delaware County	PAG2002305035	Chester County Fund 315 Willow Brook Lane West Chester, PA 19382	West Branch Naaman's Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG2004605178	Steven Wolfon 120 W. Germantown Pike Suite 120 Plymouth Meeting, PA 19462	Mill Creek (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Pottsgrove Township Montgomery County	PAG2004604019	Bernard Faggiolo 70 Old Lancaster Road Devon, PA 19333	Sprogels Run (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG2004605114	Moulton Builders Country lane Estates 301 North Broad Street Lansdale, PA 19446	West Branch Neshaminy Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Norriton Township Montgomery County	PAG2004605169	Dev Val Property Association 910 Germantown Pike Plymouth Meeting, PA 19462	Indian Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Hanover Township Montgomery County	PAG2004605117	Rouse Chamberlin Homes Hadleight f/k/a Greiner Tract 500 Exton Commons Exton, PA 19341	UNT Minister Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Providence Township Montgomery County	PAR10T649R	Audubon Land Development 2620 Egypt Road Norristown, PA 19403	Mine Run (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG2004605113	Arthur Dantchik 206 Maple Hill Road Gladwyne, PA 19035	Mill Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Pottsgrove Township Montgomery County	PAG2004605035	Rouse Chamberlin, LTD Summer Grove Development 500 Exton Commons Exton, PA 19341	Manatawny Creek (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Cheltenham Township Montgomery County	PAG2004604026	Matrix CBH, LP The Fairways at Cedarbrook Hills Forsgate Drive CN400 Cranbury, NJ 08512	Tributary to Tacony Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Providence Township Montgomery County	PAG2004605192	Montgomery County Public Property EOC Expansion P. O. Box 311 Norristown, PA 19519	Skippack Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Dublin Township Montgomery County	PAG2004605083	BET Investments Toll Plaza 2600 Philmont Avenue Suite 212 Huntington Valley, PA 19006	Wissahickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG2004605140	Susan Oberwager 440 Garden Lane Bryn Mawr, PA 19010	Mill Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Douglas Township Montgomery County	PAG2004605175	Norris and Denise Hopkinson 113 Cleaver Road Boyertown, PA 19512	Oley Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2004605120	Diprinzio Building & Development Diprinzio Gotwals Tract P. O. Box 415 Fairview Village, PA 19409	UNT Perkiomen Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Paxton Township Dauphin County	PAG2002205067	Rite Aid Corp. 30 Hunter Lane Camp Hill, PA 17011	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Lower Paxton Township Dauphin County	PAG2002205057	S & A Custom Built Homes, Inc. 5709 Linglestown Rd. Harrisburg, PA 7112	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Lower Paxton Township Dauphin County	PAG2002205059	DBL, LP 701 East Locust St. Mechanicsburg, PA 17055	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Amity Township Berks County	PAG2000605097	David Herbert AAA Development Group 5 Glen Eagle Drive New Hope, PA 18938	UNT to Schuylkill WWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Manchester Township York County	PAG2006705113	Hartman Investment Group 150 B Farm Lane Drive York, PA 17402	Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County	PAG2006706003	Olde Orchard Hill Richard Yingst 4712 Smith Street Harrisburg, PA 17112	Fishing Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springfield Township York County	PAG2006705108	TL Jackson Construction 6343 Lake Road York, PA 17403	S. Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

<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>
Manchester Township York County	PAG2006705110	JG Leasing 2780 York Haven Road York Haven, PA 17370	UNT Bermudian Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
East Manchester Township York County	PAG2006705092	Anne Musser Property Snyder Hardware Dick Snyder 119 W. Lancaster Ave. Shillington, PA 19607	Musser Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Newberry Township York County	PAG2006705088	Hemlock Ridge Gerry Golden Bry Dan Inc. P. O. Box 337 Grantham, PA 17027	Fishing Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
North Codorus Township York County	PAG2006705089	Robinhood Estates Ronald Carter 501 Golden Road Terrace Westminster, MD 21158	UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County	PAG2006705105	RHR, Inc. Michael Rutter 2100 N. George St. York, PA 17404	UNT Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Warrington Township York County	PAG2006705109	Mark and Pamala Mummert Lots 8—12 9627 Carlisle Road Dillsburg, PA 17019	UNT to Bermudian Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Conewago Township York County	PAG2006705054	Greenspring Partners, LP Richard D. Poole, LLC 150 Farm Lane Dr. York, PA 17402	Billion Run, Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manheim Township York County	PAG2006705106	Carnie Fryfogle, Jr. 6205 Hoffacker Rd. Glenville, PA 17329	UNT to Codorus Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County	PAG2006705104	Eagles View Robert Argento Woodland View Assoc. 1 Waterford Professional Center York, PA 17402	UNT of Codorus Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Peters Township Franklin County	PAG2002805065	LeMar Crossings Ed Uglow DELM Developers 3928 Warm Springs Road Chambersburg, PA 17201	UNT to Western Br. of Conococheague Creek TSF-MF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Antrim Township Franklin County	PAG2002805077	Rochester Place Perini Construction 1710 Underpass Way Hagerstown, MD 21740	UNT to Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hamilton Township Franklin County	PAG2002806002	Hamilton Heights Elementary School Richard Bender Chambersburg School District 435 Stanly Ave. Chambersburg, PA 17201	UNT to Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Greene Township Franklin County	PAG2002805075	Grand Pint Crossing Grand Point, LLC 418 Epic Drive Chambersburg, PA 17201	Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Ashley Borough and Hanover Township Luzerne County	PAG2004005050	Michael Dziak Earth Conservancy 101 South Main St. Ashley, PA 18706	Solomon Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Wilkes-Barre Township Luzerne County	PAG2004005055	Joseph Nardone 180 Mundy St. Wilkes-Barre Township PA 18702	Coal Brook Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Porter Township Clinton County	PAG2001806001	LMR Tire Service Ctr. P. O. Box 171 Lamar, PA 16848	Fishing Creek HQ	Clinton Co. Consv. Dist. 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3978
Castanea Township Clinton County	PAG2001806002	Castanea Township Supervisors 347 Nittany Rd. Castanea, PA 17745	Bald Eagle Creek Harvey Run and UNT to Bald Eagle Creek CWF	Clinton Co. Consv. Dist. 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3978
Duncan Township Tioga County	PAG2005906001	Phoenix Resources, Inc. 782 Antrim Rd. Wellsboro, PA 16901	UNT to Babb Creek CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801
Beaver County Center Township	PAG2000405024	Thomas Zelesnik Executive Director 225 Center Grange Road Aliquippa, PA 15001	UNT to Moon Run (WWF)	Beaver County CD (724) 378-1701
Clarion County Elk Township	PAG2061605005	Clarion County Airport 395 Airport Road Shippenville, PA 16254-4307	Deer Creek CWF	Department of Environmental Protection Northwest Regional Office (814) 332-6984
Erie County City of Erie	PAG2002506003	Landmark Healthcare Facilitites 839 N. Jefferson St. Milwaukee, WI 53202	Lake Erie CWF	Erie Conservation District (814) 825-6403
Erie County Millcreek Township	PAG2002505026(1)	PLP VII Joseph Palerno 3435 W. Lake Road Erie, PA 16505	UNT Walnut Creek CWF; MF	Erie Conservation District (814) 825-6403
Erie County Elk Creek Township	PAR10K180(R)	BBKC, Inc. Brent Clark 11340 Pont Road Albion, PA 16401	UNT Temple Creek CWF; MF	Erie Conservation District (814) 825-6403
Lawrence County Shenango Township	PAG2003705008	The Fields Subdivision KR Group, LLC 2400 Old Butler Road New Castle, PA 16101	UNT Big Run WWF	Lawrence Conservation District (724) 652-4512

<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>
Lawrence County Neshannock Township	PAG2003705009	Hearthstone Acres Subdivision Staph DeCarbo Associates, LLC 2911 Wilmington Road New Castle, PA 16105	UNT Shenango River WWF	Lawrence Conservation District (724) 652-4512
Lawrence County Hickory Township	PAG2003706001	CJ Long Spartan Park Hickory Township R. D. 5, Box 75 New Castle, PA 16105	UNT Big Run WWF	Lawrence Conservation District (724) 652-4512
Venango County Cranberry Township	PAG2006106001	Route 322 Pressure Sewer Project Cranberry Venango County General Authority P. O. Box 378 Seneca, PA 16346	UNT Allegheny River	Venango Conservation District (814) 676-2832

*General Permit Type—PAG-3*

<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>
International Paper Company Mount Carmel Township Northumberland County	PAR144804	International Paper Company 1008 Locust Gap Highway Mount Carmel, PA 17851	Shamokin Creek (WWF) Locust Creek (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Bloomsburg Township Columbia County	PAR134801	Magee Rieter Automotive Systems 480 West Fifth Street Bloomsburg, PA 17815	UNT Fishing Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

*General Permit Type—PAG-4*

<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>
Perkiomen Township Montgomery County	PAG040043	Leonard and Claire Pisano 132 Haldeman Road Schwenksville, PA 19473	UNT to East Branch of Perkiomen Creek Watershed 3-E Perkiomen	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Springfield Township Erie County	PAG049227	Kayle A. Kitcey 13004 Ridge Road West Springfield, PA 16443	Conneaut Creek 15-CC	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Delaware Township Mercer County	PAG049230	Gary E. Dunworth, Jr. 90 District Road Greenville, PA 16125	UNT to Shenango River 20A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
East Mead Township Crawford County	PAG049233	Brian Deane 23525 Highway 27 Meadville, PA 16335	UNT to Little Sugar Creek 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*Facility Location:  
Municipality &  
County*

Hickory Township  
Lawrence County

*Permit No.*

PAG048377

*Applicant Name &  
Address*

Mary M. Imler  
115 Merle Lane

*Receiving  
Water/Use*

UNT to Neshannock  
Creek  
20-A

*Contact Office &  
Phone No.*

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942

*General Permit Type—PAG-5*

*Facility Location &  
Municipality*

City of Monessen  
Westmoreland  
County

*Permit No.*

PAG056164

*Applicant Name &  
Address*

R. L. Smeltz Oil  
Company, Inc.  
725 South Main Street  
P. O. Box 100  
Greensburg, PA 15601

*Receiving  
Water/Use*

UNT of the Monongahela  
River

*Contact Office &  
Phone No.*

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

**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** issued to **Borough of East Greenville**, 206 Main street, East Greenville, PA 18041, (PWS ID 1460023) Upper Hanover Township, **Montgomery County** on February 14, 2006, for the operation of facilities approved under Construction Permit No. 4603504.

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

**Permit No. 3480037**, Public Water Supply.

Applicant	<b>HFLP, Ltd.</b> Lower Mt. Bethel Township <b>Northampton County</b>
Responsible Official	Lawrence W. Higgins Gen. Partner HFLP, Ltd. 4325 Hamilton Blvd. Allentown, PA 18103
Type of Facility	Community Water System
Permit Issuance Date	January 24, 2006
Description of Action	Transfer of PWS Permit No. 3480037 from Mary Ostrander to HFLP, Ltd.

**Permit No. 3390035**, Public Water Supply.

Applicant	<b>Lehigh County Authority</b> Lower Milford Township <b>Lehigh County</b>
Responsible Official	Aurel M. Arndt General Manager Lehigh County Authority P. O. Box 3348 Allentown, PA 18106
Type of Facility	Community Water System
Permit Issuance Date	January 23, 2006
Description of Action	Transfer of PWS Permit No. 3390035 from Beverly Hills Water Company to Lehigh County Authority.



**Permit No. 3905503**, Public Water Supply.  
 Applicant **Lehigh County Authority**  
 South Whitehall Township  
**Lehigh County**  
 Responsible Official Aurel M. Arndt  
 General Manager  
 Lehigh County Authority  
 1053 Spruce Street  
 P. O. Box 3348  
 Allentown, PA 18106-0348  
 Type of Facility Community Water System  
 Permit Issuance Date February 10, 2006  
 Description of Action PWS Permit No. 3905503 issued to LCA for modification of the Green Hills booster pump station.

**Permit No. 2400141**, Public Water Supply.  
 Applicant **Washington Park Water Co.**  
 Kingston Township  
**Luzerne County**  
 Responsible Official Carl Kresge, President  
 Washington Park Water Co.  
 1199 Laurel Run Road  
 Wilkes-Barre, PA 18702  
 Type of Facility Community Water System  
 Permit Issuance Date January 17, 2006  
 Description of Action PWS Operations Permit No. 2400141 issued incorporating modifications approved under Construction Permit No. 4095507 for the Sleepy Hollow Development Community Water System.

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

**Permit No. 3805506**, Public Water Supply.  
 Applicant **City of Lebanon Authority**  
 Municipality Swatara Township  
 County **Lebanon**  
 Type of Facility Construction of two new clarifiers.  
 Consulting Engineer James C. Elliot, P. E.  
 Gannett Fleming, Inc.  
 P. O. Box 67100  
 Harrisburg, PA 17106-7100  
 Permit to Construct Issued: 2/9/2006

**Permit No. 3805507**, Public Water Supply.  
 Applicant **City of Lebanon Authority**  
 Municipality North Lebanon Township  
 County **Lebanon**  
 Type of Facility Increase the pumping capacity of the Sandhill Pumping Station.

Consulting Engineer James C. Elliot, P. E.  
 Gannett Fleming, Inc.  
 P. O. Box 67100  
 Harrisburg, PA 17106-7100  
 Permit to Construct Issued: 2/10/2006

**Permit No. 6706502 MA, Minor Amendment**, Public Water Supply.  
 Applicant **The York Water Company**  
 Municipality Lower Windsor Township  
 County **York**  
 Type of Facility Repainting of the existing Yorkana finished water standpipe.  
 Consulting Engineer Ryan M. Ural, P. E.  
 The York Water Company  
 130 East Market Street  
 P. O. Box 15089  
 York, PA 17405-7089

**Permit No. 6706503 MA, Minor Amendment**, Public Water Supply.  
 Applicant **The York Water Company**  
 Municipality York Township  
 County **York**  
 Type of Facility Repainting of the existing finished water Spry standpipe.  
 Consulting Engineer Ryan M. Ural, P. E.  
 The York Water Company  
 130 East Market Street  
 P. O. Box 15089  
 York, PA 17405-7089  
 Permit to Construct Issued: 2/15/2006

**Operations Permit** issued to **Aqua Pennsylvania Inc.**, 7210048, Monroe Township, **Cumberland County** on 2/10/2006 for the operation of facilities approved under Construction Permit No. 2104504 MA.

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

**Permit No. Minor Amendment—Operation** Public Water Supply.  
 Applicant **Jersey Shore Area Joint Water Authority**  
 Township or Borough Anthony Township  
 County **Lycoming**  
 Responsible Official Michael C. Zellers  
 Jersey Shore Area Joint Water Authority  
 220 South Main Street  
 Jersey Shore, PA 17740  
 Type of Facility Public Water Supply—Operation  
 Consulting Engineer Quay Schappell  
 Larson Design Group  
 P. O. Box 487  
 1000 Commerce Park Drive  
 Water Tower Square  
 Williamsport, PA 17703-0487

Permit Issued Date 2/17/2006  
 Description of Action Operation of the new distribution system finished storage tank at the filter plant.  
**Permit No. Minor Amendment—Operation** Public Water Supply.  
 Applicant **Porter Township Municipal Authority**  
 Township or Borough Porter Township  
 County **Clinton**  
 Responsible Official Nell Yearick, Business Manager  
 Porter Township Municipal Authority  
 26 Spring Run Road  
 Mill Hall, PA 17751  
 Type of Facility Public Water Supply—Operation  
 Consulting Engineer Daniel B. Guss, P. E.  
 Uni-Tech Consulting Engineers, Inc.  
 2007 Cato Avenue  
 State College, PA 16801  
 Permit Issued Date 2/17/2006  
 Description of Action Operation of the new intake on Sink Run.

**Permit No. Minor Amendment—Construction** Public Water Supply.  
 Applicant **PA-American Water Company (Milton District)**  
 Township or Borough Milton Borough  
 County **Northumberland**  
 Responsible Official Michael Salvo  
 PA-American Water Company  
 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Type of Facility Public Water Supply—Construction  
 Consulting Engineer Joel Mitchell, P. E.  
 PA-American Water Company  
 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Permit Issued Date 2/17/2006  
 Description of Action Replacement of the existing booster pumps at the Turbot Avenue pump station.

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

**Transfer of Operations Permit** issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, PWS ID 6200017, Sadsbury and Summit Townships, **Crawford County**, on February 13, 2006, for the operation of the Oakland Beach Water System. This action is approved under Permit Number 368W001-T2, and includes the consolidation of facilities under Permit Number 368W001-T1-MA1.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:* Trio Farms

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Nazareth Township	306 Butztown Road Bethlehem, PA 18017	Northampton

*Plan Description:* The approved plan provides for 440 residential units and six commercial units on a 101.47 acre tract with proposed sewage flows of 105,000 gpd. The proposed sewage collection and conveyance system will be designed with sufficient capacity to provide for the potential connections of the existing Lower Nazareth Township Elementary School and proposed Lower Nazareth Township Municipal Complex.

The proposed sanitary sewer system for the project is divided into two sections separated by an existing ridge. A gravity collection system will collect sewage from the units on the north side of the ridge and will discharge to a proposed sanitary sewage pumping station. This pumping station will be equipped with grinder pumps and will serve 74 EDU's. This pumping station will discharge into the Project's gravity collection system on the south side of the ridge and the sewage will flow to the primary Trio Farms pumping station. A gravity collection system will collect sewage from the units on the south side of the ridge and will discharge directly to the primary Trio Farms Pumping Station.

The primary Trio Farms pumping station will be constructed at the southern end of the subdivision, adjacent to Gremar Road. This pumping station will be designed to serve all of Trio Farms, along with the future municipal complex and future connection of the existing elementary school. Total design capacity will be 600 EDU's or 120,000 gpd.

The primary Trio Farms pumping station will convey sewage across Route 946 to a proposed gravity sewer line within the right-of-way of Christian Springs Road. This gravity sewer line will extend down Christian Springs Road and across SR 191 to the existing Nazareth Creek Interceptor. The sewage from the project will be treated at the Nazareth Borough Municipal Authority Wastewater Treatment Plant.

The approved project will require a Clean Streams Law permit for the construction and operation of the proposed sewerage facilities. The permit application must be submitted in the name of the Nazareth Borough Municipal Authority (Permittee). Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Middlecreek Township	305 Old 522 Middleburg, PA 17842	Snyder

*Plan Description:* The approved plan provides for construction of approximately 4,000 feet of low-pressure force main, with grinder pumps, a pump station, and 700 feet of gravity sewer form Apex Homes to manhole 96 in the existing collection system. The collection line will serve five residential dwellings and two businesses. The Creamer Municipal Authority will own and operate the collection lines and pump station. The grinder pumps will be individually owned. The approved plan also calls for the reconstruction of the existing wastewater treatment

plant that will expand the treatment capacity to 165,000 gpd. The reconstructed treatment plant will discharge treated effluent into Middle Creek utilizing the same discharge outfall as the existing plant. The Department's review of the sewage facilities update revision has not identified any significant negative environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Shenango Township	North Shenango Township 11586 Linn Road Espyville, PA 16424	Crawford
South Shenango Township	South Shenango Township 6865 Collins Road Jamestown, PA 16134	Crawford

*Plan Description:* The approved plan provides for upgrades to the I-3, I-4, I-5 and I-6 pump stations to accommodate increased flows from existing, planned and future sewer service areas.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site

investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Selas Corp. of American Fac.**, Upper Dublin Township, **Montgomery County**. Wm. Schmidt, P. E., Pennoni Assoc., Inc., 3001 Market St., Philadelphia, PA 19104 on behalf of Peter Clelland, BT Limekiln, P. G., 2600 Philmont Ave., Suite 212, Huntingdon Valley, PA 19006 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with PCBs and inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**WAWA Food Market 118**, Caln Township, **Chester County**. Tiffani Doerr, GES, Inc., 410 Eagleview Blvd. Suite 110, Exton, PA 19341 on behalf of Mayra Flores, Realty Income Corp., 220 W. Crest St., Escondido, CA 92025 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline, MTBE and VOC. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Livingston & Co.**, Wrightstown Township, **Bucks County**. Steve F. Coe, Brown Env. Svc. Corp., 301 S. State St., Suite N102, Newtown, PA 18940 has submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**Liberty Park Development Site**, City of Pittsburgh, **Allegheny County**. Joseph M. Harrick, Penn Environmental and Remediation Inc., 359 Northgate Drive, Warrendale, PA 15066 (on behalf of John Coyne, P. E., Director of Engineering and Construction, Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219) has submitted a Remedial Investigation Report/Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The Remedial Investigation Report/Final Report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Lionel Lauer Prop.**, City of Philadelphia, **Philadelphia County**. Joseph Diamadi, Marshall Geoscience, Inc., 170 East First Ave., Collegeville, PA 19426 on behalf

of Lionel Lauer, Wide World Travel, 7300 Bustleton Ave., Philadelphia, PA 19152 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with lead gasoline. The Final Report demonstrated attainment of the Site Specific Standard and was approved by the Department of Environmental Protection on February 6, 2006.

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

**Allegheny Energy Supply Company—Springdale Power Station**, Springdale Borough **Allegheny County**. Robert L. Fargo, Hydrosystems Mgmt, Inc., 331 S. Main Street, Suite 109, Washington, PA 15301 on behalf of Joe Contrill, Allegheny Energy Supply Company, LLC, 800 Cabin Hill Drive, Greensburg, PA 15601 has submitted a Final Report concerning the remediation of site soils contaminated with fuel oil No. 2. This site was determined to qualify for the Department of Environmental Protection's (Department) low risk program, and the Final Report was based upon the judgment of a Pennsylvania licensed professional under whose seal the Final Report was submitted without technical review by Department staff. This site was afforded liability protection as outlined in Chapter 5 of Act 2 in a letter dated February 14, 2006.

**Westinghouse Facility (Former Power Circuit Breaker Facility) Lot 1B Soils** Borough of Trafford, **Allegheny County**. Chad C. Coy, Cummings/Riter Consultants, Inc., 10 Duff Road, Suite 500, Pittsburgh, PA 15235 (on behalf of Leo Brausch, Viacom, Inc., 11 Stanwix Street, Pittsburgh, PA 15222) has submitted a Final Report concerning remediation of site soil contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, PAHs and cyanide. The Final Report was approved by the Department of Environmental Protection on February 8, 2006.

### HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

*Hazardous Waste Transporter License Renewed*

**Coal City COB Company, Inc.**, P. O. Box 516, Avalon, TX 76623. License No. PA-AH 0589. Effective January 20, 2006.

**ETC Logistics, LLC**, P. O. Box 462, Parkman, OH 44080. License No PA-AH 0688. Effective January 20, 2006.

**Freehold Cartage, Inc.**, P. O. Box 5010, Freehold, NJ 07728-5010. License No PA-AH 0067. Effective January 26, 2006.

**Hydro Technology, Inc.**, P. O. Box 66071, Newport, MI 48166. License No PA-AH 0708. Effective February 2, 2006.

**The Cardinal Group, Inc.**, 828 N. Hanover Street, Pottstown, PA 19464. License No PA-AH 0710. Effective February 2, 2006.

**Bradley A. Berg, E. I. Dupont De Nemours & Company, Experimental Stations**, P. O. Box 80249 RT, Wilmington, DE 19880-0249. License No PA-AH S227. Effective February 7, 2006.

**Interstate Chemical Company, Inc.**, 2797 Freeland Road, Hermitage, PA 16148. License No PA-AH 0689. Effective February 7, 2006.

**Carlucci Construction Company, Inc.**, 401 Meadow Street, Cheswick, PA 15024. License No PA-AH 0297. Effective February 7, 2006.

**Edward Armstrong & Sons, Inc.**, 205 Greenfield Road, Lancaster, PA 17601. License No PA-AH 0027. Effective February 7, 2006.

**Baltimore Tank Lines, Inc.**, P. O. Box 1028, Glen Burnie, MD 21060-1028. License No PA-AH 0458. Effective February 8, 2006.

**R & R Trucking, Inc.**, 302 Thunder Road, Duenweg, MO 64841. License No PA-AH 0592. Effective February 10, 2006.

**Aghog, Inc.**, 773 Patterson Court, Inkster, MI 48141. License No PA-AH S224. Effective February 14, 2006.

*Hazardous Waste Transporter License Voluntarily Terminated*

**ARL, Inc. d/b/a American Road Lines**, 238 Moon Clinton Road, Coraopolis, PA 15108. License No. PA-AH 0475. Effective January 1, 2006.

*Hazardous Waste Transporter License Expired*

**Ryan Environmental, Inc.**, Route 4, P. O. Box 260, Bridgeport, WV 26330. License No. PA-AH 0646. Effective January 31, 2006.

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

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

*Infectious and Chemotherapeutic Waste Transporter License Renewed*

**Epharata Community Hospital**, P. O. Box 1002, 169 Martin Avenue, Ephrata, PA 17522. License No. PA-HC 0204. Effective December 30, 2005.

**The Cardinal Group, Inc.**, 828 N. Hanover Street, Pottstown, PA 19464. License No. PA-HC 0213. Effective February 8, 2006.

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

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

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

**Permit ID No. 101652, Krystal Point Ventures, LLC**, 762 Pounds Road, Shelocta PA, 15774. Operation of a Biosolids Processing Facility in Young Township, **Indiana County**. Permit revoked in the Regional Office on

February 8, 2006, due to unlawful storage and distribution of sewage sludge and failure to comply with the Department's May 31, 2005, Administrative Order.

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

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

**Permit ID No. 101677, Dalton Service Company**, 1230 Mercer Road, Ellwood City, PA 16117. Operation of a Municipal Waste Processing Facility in the City of Beaver Falls, **Beaver County**. Permit issued in the Regional Office on February 13, 2006.

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

**Permit Application No. 101508, Pennsylvania-American Water Company**, West Leisure Avenue Ext., 2736 Ellwood Road, New Castle, PA 16101, Neshannock Township, **Lawrence County**. Permit renewal application and major modification for final closure plan revisions. The permit was issued by Northwest Regional Office on February 14, 2006.

#### AIR QUALITY

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

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

**AQ-SE-0016: Allan A. Myers, LP** (1805 Berks Road, P. O. Box 98, Worcester, PA 19490) on February 16, 2006, to operate a portable crusher and screening unit in Valley Township, **Chester County**.

**AQ-SE-0016: Allan A. Myers, LP** (1805 Berks Road, P. O. Box 98, Worcester, PA 19490) on February 16, 2006, to operate a portable crusher and screening unit in Upper Providence Township, **Montgomery County**.

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

**GP3-22-05046A: Haines and Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474-0196) on February 17, 2006, for a Portable Nonmetallic Mineral Processing Plant under GP3 in Lower Swatara Township, **Dauphin County**.

**GP3-28-03033: H. B. Mellott Estate, Inc.** (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) on February 14, 2006, for a Portable Nonmetallic Mineral Processing Plant under GP3 in Guilford Township, **Franklin County**.

**GP4-06-03108: TYCO Electronics Corp.** (100 Gibraltar Road, Reading, PA 19606) on February 14, 2006, for Burn Off Ovens under GP4 in Exeter Township, **Berks County**.

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

**GP5-26-00549: Phillips Production Co.** (502 Keystone Drive, Warrendale, PA 15085) on January 25, 2006, to operate a replacement natural gas fired engine at the Adams Compressor Station in Dunbar Township, **Fayette County**.

**GP5-65-00395: The Belden and Blake Corp.** (2130 Campbells Mill Road, Blairsville, PA 15717) on February 21, 2006 to installation and operate one 195 bhp Caterpillar natural gas-fired compressor engine, model no. G3306TA LCR, equipped with a Miratech catalytic converter, model No. MN-12-05-C1, at the Mount Pleasant Compressor located in East Huntingdon Township, **Westmoreland County**.

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**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.**

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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.*

**09-0112B: Superior Woodcraft, Inc.** (160 North Hamilton Street, Doylestown, PA 18901) on February 14, 2006, to operate a re-evaluate current surface coating in Doylestown Borough, **Bucks County**.

**46-0029A: Glasgow, Inc.** (Route 309 and Hartman Road, Montgomeryville, PA 18936) on February 15, 2006, to operate a replacement of particulate control in Montgomery Township, **Montgomery County**.

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

**21-05040B: Valley Quarries, Inc.** (470 Newville Road, Shippensburg, PA 17257-9504) on February 16, 2006, to construct a triple deck screen to replace a double deck screen in Southampton Township, **Cumberland County**.

**36-05144: Lancaster Leaf Tobacco Co. of PA, Inc.** (198 West Liberty Street, P. O. Box 897, Lancaster, PA 17608-0897) on February 13, 2006, to use Nos. 4, 5 and 6 fuel oils in boilers in their plant at 207 Pitney Road, City of Lancaster, **Lancaster County**.

**38-05008A: Rich Maid Cabinetry, Inc.** (633 West Lincoln Avenue, Myerstown, PA 17067-2332) on February 10, 2006, to install two new coating booths and modify other booths at their existing kitchen cabinet finishing system at the Myerstown plant, Jackson Township, **Lebanon County**.

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

**65-00851A: Newcomer Products, Inc.** (P. O. Box 272, Latrobe, PA 15650) on February 1, 2006, to manufacture cemented carbide products for the metal cutting tools, wear parts, drilling and hard-facing industries at Latrobe Plant in Derry Township in **Westmoreland County**.

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

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

**46-0037V: Cabot Supermetals** (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on February 15, 2006, to operate a gemco dryer in building 19 in Douglass Township, **Montgomery County**.

**23-0024D: Hanson Aggregates PA, Inc.** (P. O. Box 231, Easton, PA 18044) on February 16, 2006, to operate two baghouses in Middletown Township, **Delaware County**.

**46-0221: Upper Moreland Hatboro Joint Sewer Authority** (P. O. Box 535, 2875 Terwood Road, Willow Grove, PA 19090) on February 16, 2006, to operate a tri-mer odor scrubbers in Upper Moreland Township, **Montgomery County**.

**46-0037Q: Cabot Supermetals** (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on February 17, 2006, to operate a wet dust collector in Douglass Township, **Montgomery County**.

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

**06-05099A: Rolling Hills Landfill Gas, LLC** (1300 North 17th Street, Arlington, VA 22209) on February 16, 2006, to construct a landfill gas combustion turbine to generate electricity at their Rolling Hills Landfill in Earl Township, **Berks County**. This plan approval was extended.

**36-05015C: Dart Container Corp. of PA** (P. O. Box 546, Leola, PA 17540) on February 16, 2006, to use landfill gas as a fuel in their facility's boilers at their Leola plant in Upper Leacock Township, **Lancaster County**. This plan approval was extended.

**38-05032: Lebanon Valley Aluminum, Inc.** (33 Keystone Drive, Lebanon, PA 17042) on December 31, 2005, to install their secondary aluminum smelting facility in South Lebanon Township, **Lebanon 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.*

**25-911A: Humane Society of Northwestern PA** (2407 Zimmerly Road, Erie, PA 16508) on February 28, 2006, to construct a crematory in Erie, **Erie 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.*

**07-05003: Norfolk Southern Railway Co., Inc.** (200 North 4th Avenue, Altoona, PA 16601-6702) on February 13, 2006, to operate a locomotive maintenance facility in Logan Township, **Blair County**. This is a renewal of the 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.*

**09-00184: Doylestown Hospital** (595 West State Street, Doylestown, PA 18901) on February 21, 2006, to operate a Natural Minor Operating Permit in Doylestown Township, **Bucks County**.

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

**28-03049: Thomas L. Geisel Funeral Home, Inc.** (333 Falling Spring Road, Chambersburg, PA 17201) on February 14, 2006, to operate their human crematory in Guilford Township, **Franklin County**.

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

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

**TV-65-00693: USA Valley Facility, Inc.—Waste Management—Cherrington Corporate Center** (625 Cherrington Parkway, Moon Township, PA 15108) on January 2, 2006, to administratively amend and modify their operating permit in Penn Township, **Westmoreland County**.

The Department of Environmental Protection (Department) has administratively amended the Operating Permit to incorporate the names of the new responsible official, change of address and permit contact. Through a minor permit modification the Department has revised the permit to incorporate specific alternatives to the collection and control system operation. The proposed methods are acceptable and conform with language allowing such a change in the Operating Permits and also mirror language found in 40 CFR 60.752(b)(2)(i)(B) and 60.753 that allow for alternatives to operational standards for collection and control systems. In addition, two permit conditions were revised to remove the redundancy.

The Department has approved this minor operating permit modification in accordance with 25 Pa. Code § 127.462.

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

**10-00001: AK Steel Corp.** (Route 8 South, Butler, PA 16003) on February 13, 2006, to administratively amend the Title V Operating Permit to document a change of the Responsible Official. AK Steel is in Butler Township, **Butler County**. The Environmental Protection Agency and public comment periods were addressed during the plan approval process.

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**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).**

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*Coal Permits Actions*

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

**02841304 and NPDES Permit No. PA0041785, Tesone Land Company** (5316 William Flynn Highway, Suite 301, Gibsonia, PA 15044), to renew the permit for the Allegheny Mine and Prep Plant in Fawn Township, **Allegheny County** and related NPDES permit. No additional discharges. Permit issued February 10, 2005.

**32840701 and NPDES Permit No. PA0092193, Tanoma Coal Company, Inc.** (One Energy Place, Latrobe, PA 15650), to renew the permit for the Tanoma No. 2 Refuse Disposal Area in Rayne Township, **Indiana County** and related NPDES permit. No additional discharges. Permit issued February 15, 2006.

**32840701 and NPDES Permit No. PA0092193, Tanoma Coal Company, Inc.** (600 Rayne Run Road, Marion Center, PA 15759), to revise the permit for the Tanoma No. 2 Refuse Disposal Area in Rayne Township, **Indiana County** to transfer support area acres and an NPDES outfall point from the Tanoma Mine Underground Permit. CRDP Support Acres Proposed 9.7. Receiving stream: Rayne Run, classified for the following use: CWF. Permit issued February 15, 2006.

**56743705 and NPDES Permit No. NA, Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201), to transfer the permit for the Windber Mine No. 78 CRDA in Paint Township, **Somerset County** from Pristine Resources, Inc. No additional discharges. Permit issued February 15, 2006.

**56841328 and NPDES Permit No. PA0033677, Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201), to transfer the permit for the Windber Mine No. 78 in Paint Township, **Somerset County** and Adams Township, **Cambria County** and related NPDES permit from Pristine Resources, Inc., and to revise the permit to perform mine rehabilitation activity. No additional discharges. Permit issued February 15, 2006.

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

**32040105 and NPDES Permit No. PA0249637, KMP Associates, Inc.**, 1094 Lantz Road, Avonmore, PA 15618 commencement, operation and restoration of a bituminous

surface mine in Conemaugh Township, **Indiana County**, affecting 6.7 acres. Receiving streams: UNTs to Big Run to Big Run to Blacklegs Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 15, 2004. Permit issued February 13, 2006.

**56940104 and NPDES Permit No. PA0212849, Mountaineer Mining Corporation**, 1010 Garrett Shortcut Road, Berlin, PA 15530, permit revision—land use change on James and Mary Long property from Forestland to Cropland, in Brothersvalley Township, **Somerset County**, affecting 5.1 acres. Receiving streams: UNTs to Tubs Run and Laurel Run classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 21, 2005. Permit issued: February 10, 2006.

**Permit No. 56960102 and NPDES No. PA 0213381, Hoffman Mining Inc.**, 118 Runway Road, P. O. Box 130, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface auger mine in Paint Township, **Somerset County**, affecting 196.0 acres. Receiving stream: Weaver Run to Paint Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 16, 2005. Permit issued February 10, 2006.

**07000101 and NPDES No. PA0248843, Cooney Brothers Coal Company**, P. O. Box 246, Cresson, PA 16630, permit renewal for the continued operation and restoration of a bituminous surface mine in Logan Township, **Blair County**, affecting 31.0 acres. Receiving stream: Kittanning Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Altoona City Authority—Kittanning Point Reservoir. Application received December 15, 2005. Permit issued February 13, 2006.

**32050104 and NPDES Permit No. PA0249742, Short Brothers, Inc.**, 15 Rayne Run Road, Marion Center, PA 15759, commencement, operation and restoration of a bituminous surface mine and a stream variance, in West Mahoning Township, **Indiana County**, affecting 126.0 acres. Receiving stream: Carr Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 3, 2005. Permit issued February 13, 2006.

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

**03040102 and NPDES Permit No. PA0250601, State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Permit issued for commencement, operation and reclamation of a bituminous surface/auger mine located in Boggs Township, **Armstrong County**, affecting 87.5 acres. Receiving streams: UNTs to North Fork Pine Creek. Application received: November 3, 2004. Permit issued: February 10, 2006.

**26000104 and NPDES Permit No. PA0202886, Patterson Coal Company** (20 Elizabeth Drive, Smithfield, PA 15478). Permit renewal issued for continued operation and reclamation of a bituminous surface mine located in German, Georges, and S. Union Townships, **Fayette County**, affecting 175.3 acres. Receiving streams: UNTs to Jennings Run and North Branch of Browns Run. Application received: December 12, 2005. Renewal issued: February 13, 2006.

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

**43850105, Grove City Materials, Inc.** (R. D. 6, Box 344, New Castle, PA 16101) Revision to an existing bituminous strip operation to add 7.0 acres to the surface mining permit in Pine and Mercer Townships, **Mercer and Butler Counties**. Total SMP acreage is now 103.0 acres. Receiving streams: two UNTs to Swamp Run. Application received: November 9, 2005. Permit Issued: February 15, 2006.

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

**17930120 and NPDES Permit No. PA0219614, Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous surface mine in Lawrence Township, **Clearfield County**, affecting 88.8 acres. Receiving stream: Laurel Run. Application received: July 1, 2005. Permit issued February 10, 2006.

*Noncoal Permits Actions*

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

**29050801, Hess Excavating, Inc.**, 1130 West Dutch Corner Road, McConnellsburg, PA 17233, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Ayr Township, **Fulton County**, affecting 3 acres. Receiving streams: UNT to Kendall Run and Kendall Run. Application received December 21, 2005. Permit issued February 14, 2006.

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

**65950401 and NPDES Permit No. PA0201162, Derry International, Ltd.** (P. O. Box 529, New Alexandria, PA 15670). NPDES Permit renewal issued for continued operation and reclamation of a noncoal surface mine located in Loyalhanna and Derry Townships, **Westmoreland County**, affecting 52.0 acres. Receiving stream: UNT to Loyalhanna Creek. Application received: December 16, 2005. Renewal issued: February 14, 2006.

**26972303, T & B Excavating, Inc.** (P. O. Box 337, McClellandtown, PA 15458). Transfer of permit formerly issued to Steve Patterson Excavating for continued operation and reclamation of a small noncoal surface mining site located in German Township, **Fayette County**, affecting 4.5 acres. Receiving streams: UNT to South Branch Browns Run. Application received: August 2, 2005. Transfer permit issued: February 15, 2006.

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

**6276SM2A1C9 and NPDES Permit No. PA0594512, Martin Limestone, Inc.**, (P. O. Box 550, Blue Ball, PA 17506), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in East Earl Township, **Lancaster County**. Receiving stream: Conestoga Creek. Application received December 12, 2005. Renewal issued February 7, 2006.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 (73 P. S. §§ 151—161) and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

*Knox District Mining Office: White Memorial Building, P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669.*



**27064001. Pennsylvania General Energy** (208 Liberty Street, Warren, PA 16365). Blasting activity permit for site preparation for well operation in Jenks and Kingsley Townships, **Forest County**. This blasting activity permit will expire on February 13, 2006. Application received: February 13, 2006. Application Issued: February 13, 2006.

**20064001. Appalachian Geophysical, LLC** (2659 State Route 60, P. O. Box 426, Killbuck, OH 44637-0426). Blasting activity permit for oil and gas exploration in Beaver and Conneaut Townships, **Crawford and Erie Counties**. This blasting activity permit will expire on February 26, 2006. Application received: February 15, 2006. Application Issued: February 16, 2006.

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

**21064002. Demtech** (65 Bald Mountain Road, Dubois, WY 82513), demolition blasting for a Bridge Over the PA Turnpike in West Pennsboro Borough and City of Shippenburg, **Cumberland County** with an expiration date of April 30, 2006. Permit issued February 10, 2006.

**21064003. Joao & Bradley Construction** (P. O. Box 20345, Lehigh Valley, PA 18002) and AJT Blasting, LLC (P. O. Box 20412, Bethlehem, PA 18002), construction blasting at Pine Run Sewers Phase II in Hampden Township, **Cumberland County** with an expiration date of November 30, 2006. Permit issued February 10, 2006.

**38064001. Joao & Bradley Construction** (P. O. Box 20345, Lehigh Valley, PA 18002) and AJT Blasting, LLC, (P. O. Box 20412, Bethlehem, PA 18002), construction blasting for 7th Street and 5th Avenue Water Mains Construction in Lebanon Township, **Lebanon County** with an expiration date of July 30, 2006. Permit issued February 10, 2006.

**21064109. Newville Construction Services, Inc.** (408 Mohawk Road, Newville, PA 17241), construction blasting for Mt. Rock Road Development in West Pennsboro Township, **Cumberland County** with an expiration date of January 31, 2007. Permit issued February 10, 2006.

**23064102. Allan A. Myers, Inc. d/b/a Independence Construction Materials** (P. O. Box 98, Worcester, PA 19490), construction blasting for Waiting Rock in Bethel Township, **Delaware County** with an expiration date of June 30, 2007. Permit issued February 10, 2006.

**28064109. Geological Technologies, Inc.** (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Red Oak Estates in Antrim Township, **Franklin County** with an expiration date of December 12, 2006. Permit issued February 10, 2006.

**28064110. Geological Technologies, Inc.** (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Antrim Crossing in Antrim Township, **Franklin County** with an expiration date of July 31, 2006. Permit issued February 10, 2006.

**28064111. TJ Angelozzi, Inc.** (7845 Kabik Court, Woodbine, MD 21797), construction blasting for Brimington Farm in Waynesboro Borough, **Franklin**

**County** with an expiration date of February 9, 2007. Permit issued February 10, 2006.

**46064107. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for South View in Lower Pottsgrove Township, **Montgomery County** with an expiration date of February 6, 2007. Permit issued February 10, 2006.

**66064102. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for a cell tower foundation in Meshoppen Borough, **Wyoming County** with an expiration date of June 30, 2006. Permit issued February 10, 2006.

**67064103. Brubacher Excavating, Inc.** (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Spring Grove High School in Jackson Township, **York County** with an expiration date of December 31, 2007. Permit issued February 10, 2006.

**22064107. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Edgewater Phases I and II in Royalton Borough, **Dauphin County** with an expiration date of February 28, 2007. Permit issued February 13, 2006.

**38064105. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Pissany Development in North Londonderry Township with an expiration date of December 30, 2006. Permit issued February 13, 2006.

**09064102. Allan A. Myers, Inc. d/b/a Independence Construction Materials** (P. O. Box 98, Worcester, PA 19490), construction blasting for Ashland Meadows in Hilltown Township, **Bucks County** with an expiration date of June 30, 2007. Permit issued February 15, 2006.

**21064110. John W. Gleim, Jr., Inc.** (625 Hamilton Street, Carlisle, PA 17013), construction blasting for Kensington Place in Upper Allen Township, **Cumberland County** with an expiration date of June 15, 2006. Permit issued February 15, 2006.

**45064112. Silver Valley Drilling & Blasting, Inc.** (RR 4 Box 4196, Saylorburg, PA 18353), construction blasting for Halderman Car Dealer on Route 447 in East Stroudsburg Borough, **Monroe County** with an expiration date of February 7, 2007. Permit issued February 15, 2006.

**48064102. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting for Willow Green in Allen Township, **Northampton County** with an expiration date of February 13, 2007. Permit issued February 15, 2006.

**48064103. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Columbia Gas Line in Forks, Lower Mt. Bethel and Washington Townships, **Northampton County** with an expiration date of July 1, 2007. Permit issued February 15, 2006.

**48064001. Eastern Blasting Company, Inc.** (1292 Street Road, New Hope, PA 18938), construction blasting at Hanover Crossing North in Hanover Township, **Northampton County** with an expiration date of January 1, 2007. Permit issued February 16, 2006.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E36-800: Department of Transportation Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699 in Colerain Township, **Lancaster County** and Lower Oxford Township, **Chester County**, ACOE.

To remove the existing structures and to construct and maintain: 1) a 32-foot wide bridge with two normal spans of 60 feet each and a minimum underclearance of 8.5 feet across the East Branch Octoraro Creek (TSF-MF) (Kirkwood, PA Quadrangle N: 14.6 inches; W: 2.5 inches,

Latitude: 39° 49' 49"; Longitude: 76° 01' 04") in Colerain Township, Lancaster County and Lower Oxford Township, Chester County; 2) a 1-foot depressed, 6-foot by 7-foot by 60-foot long concrete box culvert in a UNT to East Branch Octoraro Creek (Scroggy Run) (TSF-MF) (Kirkwood, PA Quadrangle N: 14.6 inches; W: 2.48 inches, Latitude: 39° 49' 49"; Longitude: 76° 01' 04") in Lower Oxford Township, Chester County; 3) a 6-inch depressed, 36-inch diameter by 52.5-foot long RCP culvert in a UNT to EastBranch Octoraro Creek (TSF-MF) (Kirkwood, PA Quadrangle N: 14.7 inches; W: 2.55 inches, Latitude: 39° 49' 51"; Longitude: 76° 01' 05") in Colerain Township, Lancaster County; and 4) a 6-inch depressed, 24-inch diameter by 43.5-foot long RCP culvert in a UNT to East Branch Octoraro Creek (TSF-MF) (Kirkwood, PA Quadrangle N: 14.78 inches; W: 2.65 inches, Latitude: 39° 49' 53"; Longitude: 76° 01' 08") in Colerain Township, Lancaster County

**E36-803: Paradise Sportsmen's Association**, 339 South Belmont Road, Paradise, PA 17652 in Paradise and Leacock Townships, **Lancaster County**, ACOE Baltimore District.

To restore approximately 6,015 feet of impacted stream in a 2.18-mile segment of Pequea Creek for Phase III of the Pequea Creek Watershed Restoration project administered through the Department of Environmental Protection grant funds. The project will take place between an area just upstream of North Belmont Road (40° 00' 53" N, 76° 07' 54" W; Leola, PA Quadrangle N: 2.67 inches; W: 0.93 inch) to Old Leacock Road (40° 00' 43" N, 76° 06' 27" W; New Holland, PA Quadrangle N: 2.17 inches; W: 15.05 inches) in Paradise and Leacock Townships, Lancaster County. The project will include regrading and stabilizing eroded stream banks at selected locations, the use of in-stream habitat and flow control structures and the establishment of a riparian buffer on both sides of the stream with trees and shrubs.

**E28-324: Shippensburg Borough Authority**, 111 North Fayette Street, P. O. Box 129, Shippensburg, PA 17257 in Letterkenny and Lurgan Townships, **Franklin County**, ACOE Baltimore District.

To construct and maintain, by directional drilling, a 42-inch steel casing pipe which will convey two 12-inch ductile iron water mains under Conodoguinet Creek (CWF) at a point west of Forge Hill Rd. (SR 0641) (Roxbury, PA Quadrangle N: 21.7, inches; W: 8.4, inches; Latitude 40° 7' 10", Longitude 77° 41' 6") in Letterkenny and Lurgan Townships, Franklin County.

**E21-375: Department of General Services, Bureau of Engineering and Architecture**, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125 in Cooke Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain wastewater collection and treatment facilities involving a 45-foot long by 3-inch diameter directionally drilled sanitary sewer crossing of Mountain Creek (HQ-CWF) (Dickinson, PA Quadrangle N: 5.6 inches, W: 8.2 inches; Latitude: 40° 01' 51", Longitude: 77° 18' 31"), a 35-foot long by 6-inch diameter open trench sanitary sewer crossing of Mountain Creek with 25 linear feet of riprap bank protection and a 35-foot long temporary road crossing all contained within a 40-foot wide area of disturbance (Dickinson, PA Quadrangle N: 5.6 inches, W: 7.1 inches; Latitude: 40° 01' 52", Longitude: 77° 18' 04"), a 138-foot long by 3-inch diameter directionally drilled sanitary sewer crossing of exceptional value PEM wetlands (Dickinson, PA Quadrangle

N: 5.6 inches, W: 8.2 inches; Latitude: 40° 01' 51", Longitude: 77° 18' 31") and a 288-foot long by 9-foot wide open trench sanitary sewer crossing impacting 0.06 acre of exceptional value PEM wetlands (Dickinson, PA Quadrangle N: 5.45 inches, W: 8.2 inches; Latitude: 40° 01' 50", Longitude: 77° 18' 33") in Pine Grove Furnace State Park in Cooke Township, Cumberland County.

**E29-092: Taylor Township Supervisors**, P. O. Box 627, Hustontown, PA 17229 in Taylor Township, **Fulton County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a 19.7-foot wide concrete bridge with a centerline span of 50.5 feet on an 83° skew with a minimum underclearance of 10 feet across Wooden Bridge Creek (HQ-CWF) and associated improvements on T-447 (Taylor Township Bridge No. 2) to improve the traffic safety condition of the road located about 1 mile from its confluence with Sideling Hill Creek (Hustontown, PA Quadrangle N: 17.9 inches; W: 2.0 inches; Latitude: 40° 05' 55", Longitude: 78° 0' 51") in Taylor Township, Fulton County.

**E28-316: David Hahn**, 9238 Gap Road, Waynesboro, PA 17268 in Quincy Township, **Franklin County**, ACOE Baltimore District.

To remove an existing timber bridge and then to construct and maintain a steel beam bridge with a timber deck, 10-foot wide, single span having a normal span of 21.2 feet and an underclearance of 4.5 feet located upstream of the existing bridge across Biesecker Run (CWF) (Waynesboro, PA Quadrangle N: 6.5 inches; W: 4.8 inches; Latitude: 39° 47' 9"; Longitude: 77° 32' 3") in Quincy Township, Franklin County. The purpose of the bridge is to maintain access to the remainder of the parcel.

**E36-793: West Cocalico Township**, 156B West Main Street, P. O. Box 244, Reinholds, PA 17569 in West Cocalico Township, **Lancaster County**, ACOE Baltimore District.

To replace two deteriorating culverts in separate UNTs to Harnish Run (WWF) west of the Village of Blainsport in West Cocalico Township, Lancaster County, involving the following:

1. Removal of a failing 30-inch CMP and construction and maintenance of a 3-foot by 5-foot reinforced concrete box culvert (in-stream length of 30-feet), located at a point on the Womelsdorf, PA Quadrangle (N: 5.0 inches; W: 2.0 inches, Latitude 40° 16' 39"; Longitude: 76° 8' 22"). Construction of the new culvert will necessitate impacts to PEM, Exceptional Value wetlands (0.02 acre permanent impact; 0.06 acre temporary impact).

2. Removal of a failing 18-inch CMP and construction and maintenance of a 24-inch by 31-foot SLCPP with type D-W endwalls located at a point on the Womelsdorf, PA Quadrangle, (N: 4.8 inches; W: 2.4 inches, Latitude: 40° 16' 35"; Longitude 76° 8' 32"). Construction of the new culvert will necessitate impacts to PEM, Exceptional Value wetlands (0.002 acre permanent impact; 0.004 acre temporary impact).

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

**E65-872. DeMill Development, LLC**, 281 Wolf Lake Road, New Alexandria, PA 15670. To construct a culvert and various ford crossings in Unity Township, **Westmoreland County**, Pittsburgh ACOE District. (Latrobe, PA Quadrangle N: 4.5 inches; W: 9.2 inches and Latitude: 40° 16' 29"—Longitude: 79° 26' 28"). To remove the existing stream crossing and to stabilize its stream banks, construct and maintain a 10-foot by 4.4-foot multiplate arch culvert approximately 85 feet long over Fourmile Run (WWF); to construct and maintain various ford crossings across UNTs to Fourmile Run (WWF); to place and maintain fill in 0.17 acre of wetlands (PEM); to temporarily impact Fourmile Run and 0.018 acre of wetlands (PEM) for a utility line crossing; and to construct and maintain 0.17 acre of replacement wetlands. The encroachments are part of a proposed residential subdivision to be known as Foxfield Knoll located along Onega Road approximately 0.5 mile south of its intersection with Sand Hill Road.

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

**E10-413, Park Place Associates, LP**, 215 Executive Drive, Suite 300, Cranberry Township, PA 16066. Park Place Development Phase II, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Baden, PA Quadrangle N: 40° 42' 13.6"; W: 80° 08' 8.95").

To temporarily impact 0.245 acre of PEM/PSS wetlands and construct and maintain one stream crossing of a UNT to Brush Creek (WWF) to facilitate the construction of a sanitary sewage collection system which is part of a residential development located along the north side of Rochester Road approximately 1.6 miles west of SR 0019.

**E43-327, Department of Transportation, District 1-0**, 255 Elm Street P. O. Box 398, Oil City, PA 16301. SR 2025, Section B00, Segment 0020, Offset 0000 Across Barmore Run, in Pine Township, **Mercer County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 3.6 inches; W: 14.3 inches).

To remove the existing bridge and to construct and maintain a 30-foot long concrete twin cell box culvert having a 15-foot wide by 6-foot high waterway opening across Barmore Run (CWF) on SR 2025, Section B00, Segment 0020, Offset 0000 less than 1 mile SW of Grove City.

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## SPECIAL NOTICES

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### Announcement of Resource Recovery Demonstration Grant under the Solid Waste-Resource Recovery Development Act

#### CORRECTION

In accordance with 25 Pa. Code §§ 76.13 and 76.82(c) (relating to public notice of application; and review of Department decision), notice is hereby given that the Department of Environmental Protection (Department) has approved grants to the following application sponsors under the Pennsylvania Solid Waste-Resource Recovery Development Act (35 P. S. §§ 755.1—755.14). A correction has been made to the project description. This notice was originally published at 36 Pa.B. 582, 624 (February 4, 2006).

The grant offerings are subject to completion of a contract with the Department in accordance with the Scope of Work approved by the Bureau of Waste Management. Grants are limited to no more than the maximum amount provided in the grant offering, up to 75% of the total eligible demonstration project costs.

Inquiries concerning this notice should be directed to John Lundsted, Recycling Technical Assistance Coordinator, Department of Environmental Protection, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

**2004 Act 198 Demonstration Grants**

<i>Development Agency</i>	<i>Description of Project</i>	<i>Amount</i>
Waste System Authority of Eastern Montgomery County	Waste System Authority of Eastern Montgomery County in conjunction with Monteny Energy Resources of Montgomery County, Inc. will demonstrate an improved grate drive system in its resource recovery facility that will move the grates on a continuous basis rather than intermittently.	\$100,000

[Pa.B. Doc. No. 06-364. Filed for public inspection March 3, 2006, 9:00 a.m.]

**Air Quality Technical Advisory Committee Meeting Changes**

The March 17, 2006, Air Quality Technical Advisory Committee (Committee) meeting has been cancelled. Meetings of the Committee have been scheduled for March 6, 2006, from 9 a.m. to 3 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105 and March 13, 2006, from 9 a.m. to 3 p.m. in the Susquehanna Conference Room, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110.

Questions concerning the change of meeting should be directed to Terry L. Black, (717) 787-2030, tblack@state.pa.us. The agendas and meeting materials for the meetings will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: Public Participation, Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Susan Ferree at (717) 787-9495 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-365. Filed for public inspection March 3, 2006, 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 (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 2006.

*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: 383-2125-109. Title: Guidance for Using the Modified Minor Permit Amendment for Repainting the Interior of a Potable Water Storage Tank. Description: This technical guidance document establishes procedures for public water supply systems to follow if they wish to obtain a modified minor permit amendment to repaint the interior of a potable water storage tank. Systems that do not wish to follow these procedures or do not meet the conditions set forth in the draft guidance will be subject to existing minor permit amendment processes. This guidance is issued under the authority of the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) and 25 Pa. Code Chapter 109 (relating to safe drinking water). Notice of the draft version of this technical guidance document, with a former title of "Modified Minor Permit Amendment for Repainting the Interior of a Potable Water Storage Tank," was published at 35 Pa.B. 5325 (September 24, 2005), with provision for a 30-day public comment period that concluded on October 24, 2005. The Department received comments on the draft, which were addressed in a corresponding Comment and Response document. Contact: Tom Franklin, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, Rachel Carson State Office Building, 11th Floor, Harrisburg, PA 17105-8774, (717) 783-1820, thfranklin@state.pa.us. Effective Date: March 4, 2006.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-366. Filed for public inspection March 3, 2006, 9:00 a.m.]

### Laboratory Accreditation Advisory Committee Meeting Cancellation

The Laboratory Accreditation Advisory Committee meeting scheduled for Tuesday, March 7, 2006, has been cancelled.

The next regularly scheduled meeting will be held on June 6, 2006, in Room 206, Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA 17105-1467. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: Public Participation, Participate).

Questions concerning this meeting should be directed to Aaren Shaffer Alger, (717) 346-8212, [aaalger@state.pa.us](mailto:aaalger@state.pa.us) or Richard Sheibley, (717) 346-8215, [rsheibley@state.pa.us](mailto:rsheibley@state.pa.us).

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 06-367. Filed for public inspection March 3, 2006, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Chronic Renal Disease Advisory Committee Meeting

The Chronic Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Friday, April 21, 2006, from 10 a.m. to 3 p.m. in Conference Room 327, Health and Welfare Building, Commonwealth Avenue and Forster Street, Harrisburg, PA.

For additional information, contact Carolyn S. Cass, Director, Division of Child and Adult Health, Department of Health, Health and Welfare Building, Seventh Floor, East Wing, Seventh and Forster Streets, Harrisburg, PA 17102, (717) 772-2762. Persons who wish to attend this meeting or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Carolyn Cass at (717) 772-2762 or for speech and/or hearing impaired persons, TDD (717) 783-6514 or TT (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 06-368. Filed for public inspection March 3, 2006, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, February 16, 2006, and announced the following:

#### *Regulation Approved*

Department of Public Welfare #14-503: Low Income Home Energy Assistance Program (amends 55 Pa. Code Chapter 601)

#### Approval Order

Public Meeting held  
February 16, 2006

*Commissioners Voting:* John R. McGinley Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli, by phone; John F. Mizner, Esq.; Murray Ufberg, Esq.

*Department of Public Welfare—Low Income Home Energy Assistance Program; Regulation No. 14-503*

On January 10, 2006, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Public Welfare. This rule-making amends 55 Pa. Code Chapter 601. Notice of proposed rulemaking was omitted for this final regulation. Governor Edward G. Rendell certified the regulation as necessary to meet an emergency on January 9, 2006. The regulation became effective upon publication in the *Pennsylvania Bulletin* on January 21, 2006.

This regulation temporarily expands the eligibility requirements for the Low Income Home Energy Assistance Program from 135% of the Federal Poverty Income Guidelines (FPIG) to 150% of the FPIG. The regulation will sunset on June 30, 2006.

We have determined this regulation is consistent with the statutory authority of the Department of Public Welfare (Act 81 of 2005) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-369. Filed for public inspection March 3, 2006, 9:00 a.m.]

### 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>
18-404	Department of Transportation Flashing or Revolving Lights on Emergency and Authorized Vehicles 35 Pa.B. 6769 (December 17, 2005)	1/17/06	2/16/06
15-430	Department of Revenue Revision of Construction Contractors; Sales Tax Requirements 35 Pa.B. 6767 (December 17, 2005)	1/17/06	2/16/06
4-82	Department of Community and Economic Development Manufactured Housing Improvement Program 35 Pa.B. 6902 (December 24, 2005)	1/23/06	2/22/06

#### **Department of Transportation Regulation #18-404 (IRRC #2510)**

#### **Flashing or Revolving Lights on Emergency and Authorized Vehicles**

**February 16, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the December 17, 2005 *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.

#### **1. Section 173.2. Definitions.—Reasonableness; Clarity.**

##### *Intersection light*

This definition is amended to allow greater flexibility by deleting the existing requirement that intersection lights be mounted on both front fenders. The Pennsylvania Emergency Health Services Council (PEHSC) questioned the need for and practicality of this amendment. According to the proposed regulation, an "intersection light" could be a flashing red, blue, white or clear light placed anywhere on a vehicle. Similar characteristics for lights are already included in the definitions of "flashing light," "light-bar assembly," "revolving light" and "single light." Given that any of these lights would enhance the visibility of a vehicle, what is the need for a separate category for intersection lights? The amended definition is so broad that it loses its uniqueness and utility. The term is used only twice in Chapter 173, once in describing the mounting of a light on a fender and once as an exception. The Department should explain the need for this separate category or delete the term and its definition from the chapter.

#### **2. Section 173.3. Display requirements.—Public safety; Reasonableness; Implementation procedure; Clarity.**

##### *Subsection (a)(3) Blue lights.*

This subsection refers to Section 4572(a) of the Vehicle Code to identify which vehicles may display blue lights. To be eligible to display blue lights on their vehicles, the statute requires that "the names of the ambulance personnel, volunteer firefighters and certified volunteer search and rescue scuba divers shall be submitted to the nearest station of the Pennsylvania State Police on a list signed by the chief of the ambulance or fire department or company . . ." (75 Pa.C.S.A § 4572(a)(1)). We have several questions.

First, are ambulance personnel of private or "for-profit" ambulance companies eligible to use blue lights on their vehicles? Does the word "company" in Section 4572(a)(1) include private or for-profit companies? The Department should clarify the types of organizations that may allow their personnel to use blue lights on their own vehicles. In addition, who is the chief of a private company?

Second, may quick responder services (QRS) personnel use blue lights on their personal vehicles? Some claim that QRS vehicles are covered by the statutory definition of "ambulance" in Section 102 of the Vehicle Code. The Department needs to clarify whether QRS personnel are eligible to use blue lights on their vehicles under Section 4572(a) of the Vehicle Code.

##### *Subsection (a)(5) Yellow or amber lights.*

In Subparagraph (iii), new language is being added which states: "Yellow or amber lights shall be mounted on the rear of the vehicle or shall face rearward." The intent of this language is that the lights be directed or shine rearward from the vehicle. To improve clarity, the new language should be simplified to state that yellow or amber lights shall be mounted to only flash or shine rearward.

##### *Subsection (a)(6) White or clear lights.*

Three commentators have expressed concern and confusion with this subsection. This subsection begins with one long sentence that appears to address two or more different combinations of white or clear lights. The provision begins with limiting emergency vehicles to one white

or clear light in combination with lights of different colors. However, it also contains an exception for three white or clear lights on a light-bar assembly. We have four concerns and recommendations.

First, we recommend that the first sentence of this subsection be re-formatted as a list that outlines the two options: 1) single white or clear light; or 2) three white or clear lights on a light-bar assembly. We agree with the Director of the Philadelphia Regional Emergency Medical Services that clarification is needed as to whether a vehicle could have a total of four white or clear lights by combining a single light with a light-bar assembly.

Second, the Department should clarify the need for and intent of this subsection and whether a light created via reflection by mirrors will be counted as a separate and unique light. Explanation and clarification are necessary given the questions raised by two commentators. PEHSC questioned the need to increase the number of white or clear lights from two to three. Michael K. DalPezzo submitted comments contending that mirrors in light-bar assemblies may intensify the effect of lights and are not counted as separate lights for the purposes of enforcement.

Third, the new Subparagraphs (i) and (ii) may conflict with existing systems and procedures. The two new provisions read as follows:

(i) When the light-bar assembly contains three flashing, revolving or oscillating white or clear lights, the center light must be mounted to flash white or clear light only to the front.

(ii) When the vehicle is stationary, the light-bar assembly may not display white or clear light to the rear.

According to DalPezzo, Subparagraph (i) is the opposite of most existing systems. DalPezzo also claims that Subparagraph (ii) is inconsistent with the standards of the National Fire Protection Association and federal standards for ambulances. The PEHSC is concerned that Subparagraph (ii) would be unsafe because it may force drivers to turn off all lights.

It is our understanding that the intent of the Department is for the two outside lights on the light-bar assembly to oscillate in 90° arcs. However, this requirement is not discussed in the proposed regulation. The Department needs to clarify its intent for the light-bar assembly and insure that the regulation is consistent with current standards for different types of emergency vehicles.

Fourth, the phrase “preemptive traffic control devices” is not defined. In addition, this specific phrase is not used in similar provisions in existing regulations or statutes. The Vehicle Code at 75 Pa.S.C.A § 3105(g) uses the phrase “emergency vehicle preemption devices.” Existing regulations refer to “traffic control signal preemption equipment controlled from emergency or authorized vehicles” at 67 Pa. Code § 211.11(b)(16) and “preemption and priority control equipment” at 67 Pa. Code § 212(b)(viii) (published as a final regulation in the *Pennsylvania Bulletin* on February 4, 2006 [36 Pa.B. 537]). The Department should use the phrase found in the statute consistently and should include a reference to the statute in this proposed regulation.

*Subsection (a)(8) Utility lights.*

The first sentence of this subparagraph states that utility lights may not be used for “emergency warning purposes.” It describes utility lights as “take down, alley, spotlight.” However, the second sentence reads:

These lights may be used while the vehicle is *in motion or stationary for the purpose of an emergency*, for the safety of the public or in the enforcement of the law. (Emphasis added.)

The use of the phrases “emergency warning purposes” and “for the purpose of an emergency” is confusing. What is the difference between these two phrases? The phrase “in motion or stationary” adds to the confusion. Additionally, DalPezzo notes that there are “take down” and “alley” lights that flash in light-bar assemblies. The explanation of this new subparagraph in the Preamble only mentions the blade of a snow plow.

It is our understanding that the intent of this subsection is to prohibit the use of a steady burning light to alert others and warn traffic of an emergency. The subsection should clearly state this prohibition. Standard headlights and flashing or revolving lights are all that may be used to alert other drivers and pedestrians. The regulation should also state that a steady burning light may be used to illuminate work areas and equipment, scenes involving fires, accidents, other emergencies or crime, or for search and rescue operations.

*Subsection (b) 360° visibility.*

The first sentence of this subsection begins with the phrase: “Except for unmarked police vehicles . . .” which seems to indicate that all of Subsection (b) does not apply to unmarked police vehicles. However, Subparagraph (4) is being amended to set forth a specific requirement for an “unmarked police vehicle.” This is confusing. Subparagraph (4), which is different from the “360° visibility” rule, should be formatted as a separate subsection.

*Subsection (d)(1) Emergency vehicles except police vehicles.*

Subsection (d)(1)(v)(A) reads:

This subsection does not include private vehicles used for answering emergency calls as defined by 75 Pa.C.S. § 102.

None of the terms in this provision, such as “private vehicles” or “emergency calls,” are defined as separate terms in Section 102 of the Vehicle Code. This provision should be rewritten using the words “privately owned vehicle” and a specific reference to the definition of “emergency vehicle” in 75 Pa.C.S. § 102.

*Subsection (d)(4) Traffic control emergency directional light assemblies.*

This subsection is new and sets requirements for the use of directional light assemblies. However, the intent of the limitations in Subparagraphs (i)—(vi) is unclear. For example, Subparagraphs (v) and (vi) are limited respectively to vehicles owned by a fire company and “an authorized vehicle which is used in the construction, repair or maintenance of a bridge or highway.” The subsection already states that the directional assemblies may not interfere with permanently installed lights. If the directional lights do not interfere with installed lights, then what is the need for Subparagraphs (i)—(vi)? The Department should justify these limitations or delete them.

### 3. Miscellaneous Clarity.

*Section 173.2. Definitions.—Flashing light and Oscillation*

The definition of “flashing light” includes the word “oscillation” as a part of its definition. The terms “oscillation” and “revolving light” are also defined in Section 173.2. In certain provisions in Chapter 173, the proposed regulation adds the word “oscillating” to depict “flashing

[ or ], revolving or oscillating” lights. If “oscillation” is a part of the definition of a flashing light, why is it necessary to include the word “oscillating” next to “flashing” in the regulation?

Additionally, what does it mean in certain provisions when only the words “flashing or revolving are used to describe lights? Given the inclusive definition of “flashing light,” what is the intent of this distinction? Will these flashing lights also be allowed to oscillate?

*Subsection 173.3(d)(3) Authorized vehicles.*

Under Subsection 173.3(d)(3)(i)(E), the reference to Subparagraphs (i)—(iv) is incorrect and needs to be changed to be consistent with the re-lettering and reformatting of the *Pennsylvania Code and Bulletin*. It should be changed to capital letters (A)—(D).

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**Department of Revenue Regulation #15-430  
(IRRC #2508)**

**Revision of Construction Contractors; Sales Tax Requirements**

**February 16, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the December 17, 2005 *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 Revenue (Department) to respond to all comments received from us or any other source.

**1. Economic or Fiscal Impact.**

The Department has described this proposed rulemaking as an “administrative ‘clean up’” that will eliminate duplicative sales tax regulations that govern construction contractors. They have noted that “No parties should be adversely affected by this administrative regulation.”

Members of Pennsylvania’s banking community disagree with the Department’s description and assessment of this rulemaking. They believe that the deletion of certain language pertaining to financial institution security equipment will result in the taxation of certain equipment used for its “protection and convenience.” As a result, this rulemaking will have a negative fiscal impact on this industry.

We agree with the banking community that this rulemaking is more than just an “administrative ‘clean-up’” and it could have a negative fiscal impact on that community. However, we do not agree that it will impose sales tax on certain equipment that banks currently purchase. It is our understanding that banks pay sales tax when this equipment is purchased. Relief is provided to banks in the form of a partial sales tax refund, granted as part the appeals process by the Attorney General, not the Department of Revenue.

We believe that the Department has the statutory authority to amend its own administrative regulations. However, the lack of information contained in this regulatory package pertaining to the Department’s true intent and potential fiscal impact make it difficult for this Commission to determine if this rulemaking is in the public interest. As suggested by Senator Earll, Chairwoman of the Senate Finance Committee, we ask the Department to “more thoroughly explain the purpose and potential impact of its proposed administrative clean-ups.”

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**Department of Community and Economic  
Development Regulation #4-82 (IRRC #2507)**

**Manufactured Housing Improvement Program**

**February 22, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the December 24, 2005 *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 Community and Economic Development (Department) to respond to all comments received from us or any other source.

**1. Section 149.1. Definitions.—Clarity.**

We have two concerns with this section.

First, statutory citations to the definitions in the Act are found in some definitions in this proposed regulation, while missing in others. The Department should add the appropriate statutory citations to the definitions of “Installation,” “Installer,” “Manufactured Home Construction and Safety Standards,” “Manufactured housing or manufactured home,” and “Manufacturer’s approved design.”

Second, the information in Subsection (ii) in the definition of “Manufacturer’s approved design” is substantive in nature. Substantive provisions in a definition cannot be enforced. This information should be removed from the definition and placed in an appropriate section later in the regulation, such as Section 149.3(b) (relating to Installation standard).

**2. Section 149.3. Installation standard.—Clarity.**

Subsection (d) contains the phrase, “. . . the building code official should contact the Department . . .” (Emphasis added). “Should” is not a regulatory term. Therefore, it should be replaced with “may.”

**3. Section 149.4. Installer training and certification.—Clarity.**

*Subsection (a)(2)*

The Department indicated that the “other information” mentioned in this subsection is information that might be requested as it reviews an application. The language in this subsection should be amended to clearly state that the Department may request additional information.

*Subsection (a)(3)*

Why must the training provider consult with the Department before scheduling courses or setting its tuition? Unless the Department is planning to review and approve these things, this provision should be deleted.

Also, the Department should cross-reference the appropriate fee in Section 149.7.

*Subsection (b)(1)*

Will the application forms for certification be provided by the Department?

Also, the Department should cross-reference the appropriate fee in Section 149.7.

**4. Section 149.5. Building code official training.—Reasonableness; Clarity.**

We understand that the training for building code officials under this section is intended to be separate and distinct from the training for installers under the previous section. However, this section is missing the specific



details concerning the application and approval process that the previous section contains. The Department should clearly set forth the requirements for building code official training in the final-form regulation.

**5. Section 149.6. Certificate of Compliance.—Consistency with statute; Clarity.**

*Subsection (a)*

The phrase “An installer is not required to complete a certificate of compliance for installation of items such as . . .” is vague. The Department indicated that this is meant to include anything that falls under the Uniform Construction Code as opposed to anything that is covered by the Manufactured Home Construction and Safety Standards. The Department should amend this subsection to clearly state its intent.

*Subsection (c)*

This subsection does not state who is required to submit the completed copy of the Certificate of Compliance to the building code official. The Department indicated that this responsibility falls on whoever initially applies for the building permit.

However, the Manufactured Housing Improvement Act (Act) at 35 P. S. § 1658.6(e) states, “The *installer* shall certify to the department and the building code official that the new manufactured home has been installed in accordance with . . .” (Emphasis added). To be consistent with the Act, the Department should amend this section to state that it is the installer’s duty to submit a copy of the Certificate of Compliance to the building code official.

**6. Section 149.7. Fees.—Clarity.**

The Department is required by the Act to establish fees for “educational programs, testing and certification of those persons certified to install and inspect . . .” However, the Act does not specifically require these fees to be established via regulation.

The only way to change a promulgated regulation is through a subsequent regulation. If the Department chooses to establish these fees through regulation, Subsection (c) should be deleted. If the Department wishes to be able to change the fees through a publication of notice in the *Pennsylvania Bulletin*, all of the fees in this proposed regulation should be deleted.

**7. Section 149.8. Penalties.—Clarity.**

*Subsection (a)(1)*

This subsection deals with suspension or revocation of certification for those who violate the Act or this chapter. However, the Act at 35 P. S. § 1685.5(b)(3) also mentions the issuance of warnings. The Department indicated that it currently has a warning system in place. The procedures of this system should be set forth in the final-form regulation.

*Subsections (a)(1)(i) and (ii)*

These subsections refer to complaints. What format does the Department deem to be an acceptable method of receiving complaints? Do they need to be in writing? Will a telephone call or an email be sufficient? The final-form regulation should clearly set forth the appropriate procedure for filing a complaint with the Department.

*Subsection (b)*

This subsection states in part, “. . . the Department may impose a civil penalty of up to \$1,000 on any person. . . .” The final-form regulation should clarify if the

cumulative maximum that one can be fined is \$1,000 or if this penalty can be assessed per offense.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-370. Filed for public inspection March 3, 2006, 9:00 a.m.]

**Notice of Filing of Final Rulemaking**

The Independent Regulatory Review Commission (Commission) received the following regulation, which is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market St., 14th Floor, Harrisburg at 10:30 a.m. Note that the time and date of the meeting are tentative and interested parties are encouraged to contact the Commission at (717) 783-5417 or visit its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). to confirm that information. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-390	State Conservation Commission Nutrient Management	2/16/06	3/23/06

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 06-371. Filed for public inspection March 3, 2006, 9:00 a.m.]

**LIQUOR CONTROL BOARD**

**Expiration of Leases**

The following Liquor Control Board leases will expire:

Dauphin County, Wine & Spirits Shoppe #2207, 1303 North 7th Street, Harrisburg, PA 17102.

*Lease Expiration Date:* February 28, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,500 net useable square feet of new or existing commercial warehouse space. Location must be located along North 7th Street bordered by Herr Street to the South and Maclay Street to the North, Harrisburg City.

*Proposals due:* March 24, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Luzerne County, Wine & Spirits Shoppe #4006, Luzerne Shopping Center, 468 Union Street, Luzerne, PA 18709.

*Lease Expiration Date:* February 28, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space located 1/4 mile from its intersection with SR 309, Luzerne Borough.

*Proposals due:* March 24, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Matthew L. Sweeney, (717) 657-4228

Northampton County, Wine & Spirits Shoppe #4811, 15 N. Broadway, Wind Gap, PA 18091.

*Lease Expiration Date:* August 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space located within 1/2 mile of the intersection of South Broadway (Route 512/115) and Male Road, Wind Gap.

*Proposals due:* March 24, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Joseph P. Hannon, (717) 657-4228

Wayne County, Wine & Spirits Shoppe #6403, Hamlin Shopping Center Route 590, Hamlin, PA 18427.

*Lease Expiration Date:* July 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,900 net useable square feet of new or existing retail commercial space located on SR 590 between its intersection with SR 348 and SR 191/196, Salem Township.

*Proposals due:* March 24, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Matthew L. Sweeney, (717) 657-4228

JONATHAN H. NEWMAN,  
*Chairperson*

[Pa.B. Doc. No. 06-372. Filed for public inspection March 3, 2006, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Electronic Filing of Motor Carrier Insurance  
 Forms; Doc. No. M-00061937**

Public Meeting held  
 February 9, 2006

*Commissioners Present:* Wendell F. Holland, Chairperson;  
 James H. Cawley, Vice Chairperson; Bill Shane; Kim  
 Pizzingrilli, statement attached; Terrance J. Fitzpatrick

### Order

*By the Commission:*

By this order, the Commission is establishing a pilot program for the purpose of implementing electronic filing

of motor carrier insurance information.<sup>1</sup> The Commission seeks to provide motor carriers with the option of having their insurance companies file the noted insurance forms electronically, while retaining the option of filing these insurance forms in hard copy, paper format as is currently required in 52 Pa. Code § 32.2(c). To implement the electronic filing pilot program, the Commission will grant a temporary waiver of our motor carrier insurance regulations at 52 Pa. Code § 32.2(c) for a period of one year. After the entry of this order and the Commission's evaluation of the pilot program described herein, we may initiate a proposed rulemaking at a separate docket to revise our regulations in a manner that permits electronic filing.

### Background

The purpose for the pilot program and the temporary waiver of the motor carrier insurance regulations is to allow the Commission to begin formulating and implementing a new process that will allow for electronic filing of motor carrier insurance information. Electronic filing will provide insurance companies filing information on behalf of motor carriers with a more effective means of timely submitting insurance information to the Commission. Electronic filing will additionally provide the Commission with a reasonable and efficient method of receiving and monitoring insurance information, beyond the method currently approved by our regulations at 52 Pa. Code § 32.2(c).

In order to implement electronic filing, the Commission will enter into an agreement with a third party vendor, National Online Registries (NOR), that will act as a conduit between the insurance companies and the Commission by creating and managing a central electronic repository of motor carrier insurance information. Specifically, NOR will enter into Insurance Company Participation Agreements with insurance companies that wish to participate in electronic filing. Pursuant to these agreements, the companies will make motor carrier insurance filings with the Commission by using NOR's central electronic repository of motor carrier insurance information. NOR will make the repository accessible to the Commission via the Internet, at no charge, for searching, viewing, submitting, and retrieving data and interacting with information in the repository. NOR will notify the Commission by electronic mail when an insurance filing has been made. Although the Commission will have access to NOR's database, NOR will not have access to any of the Commission's electronic databases or any confidential information.

### Discussion

Based on the motor carrier insurance provisions in Section 32.2(c), motor carriers are currently required to file a hard copy of insurance information directly with the Commission. Pursuant to the regulations, certificates of insurance, surety bonds, and notices of cancellation are to be filed with the Commission in triplicate, and an approved copy will be returned to the motor carrier if a self-addressed, stamped envelope is enclosed with the filing.

The Commission has expended considerable resources to enforce these regulations as many insurance companies fail to file timely notifications indicating that insurance has been obtained by a transportation utility. This results in numerous enforcement actions against utilities that

<sup>1</sup> The specific filings will be public liability and property damage filings and cargo filings. Insurance companies must continue to file surety bonds in hard copy, paper format as is currently required by 52 Pa. Code § 32.2(c).

have, in fact, obtained insurance, but because the Commission is not timely notified by the insurance company, the transportation utilities are in violation of our regulations. Granting insurance companies the right to file public liability and property damage and cargo forms in electronic format will enable the Commission to receive filings almost instantaneously and, thus, will likely reduce the number of insurance suspensions.

The Commission finds that the most expedient means of implementing electronic filing in the near future for the purpose of the pilot program is to grant motor carriers a temporary waiver of the insurance regulations requirement at 52 Pa. Code § 32.2(c), which mandates the filing of a hard copy of insurance information. When the PUC receives a notification from NOR stating that an insurance filing has been made by an insurance company on behalf of a motor carrier, the PUC will treat this notification as a petition from the motor carrier requesting a temporary waiver of the insurance filing regulations. The request for a waiver will be deemed approved by the PUC, and the filing will be accepted.<sup>2</sup>

Accordingly, the temporary waiver of the Commission's regulations as granted herein shall become effective and remain effective for a period of one year from the entry date of this order. Subsequent to the entry of this order and the Commission's internal evaluation of the electronic filing pilot program, the Commission may adopt a proposed rulemaking order at a separate docket, in accordance with the Regulatory Review Act, 71 P. S. §§ 745.1, et seq., to revise our motor carrier insurance regulations in a manner that permits electronic filing. While this temporary waiver and the proposed future rulemaking will grant insurance companies filing information on behalf of motor carriers the right to file insurance information electronically, the current option set forth in 52 Pa. Code § 32.2(c) for filing insurance information in hard copy, paper format will also be retained; *Therefore,*

*It Is Ordered That:*

1. The Commission's regulations at 52 Pa. Code § 32.2(c), which require motor carriers to file a hard copy of insurance information, shall be temporarily waived as provided for herein to allow for the electronic filing of motor carrier insurance information.

2. Notice of this order shall be published in the *Pennsylvania Bulletin* and on the Commission's website.

3. Subsequent to the entry of this order and the Commission's evaluation of the electronic filing pilot program, the Commission may adopt a proposed rulemaking order at a separate docket in order to revise our motor carrier insurance regulations to allow for electronic filing.

JAMES J. MCNULTY,  
*Secretary*

**Statement of Commissioner Kim Pizzingrilli**

*Public Meeting February 9, 2006; FEB-2005-L-0013\*;  
Doc. No. M-00061937*

*Electronic Filing of Motor Carrier Insurance Forms*

Today the Commission acts to implement an electronic filing pilot program to provide insurance companies with the ability to file public liability and property damage and cargo forms in electronic format on behalf of motor carriers. The Commission grants a temporary waiver of

<sup>2</sup> This process comports with the Commission's authority to waive its regulations on an individual basis. See 52 Pa. Code § 5.43(a); *Township of Collier v. Pennsylvania American Water Co.*, C-20016207 (Order entered Apr. 29, 2004).

the motor carrier insurance regulations (52 Pa. Code § 32.2(c)) which mandate the filing of a hard copy of certain forms.

I commend staff for its efforts in establishing this pilot program. The option to file electronically will provide insurance companies with a more effective and efficient means of timely submitting insurance information to the Commission. This will also assist motor carriers in ensuring that valid insurance forms are on file and, at the same time, provides the Commission with the ability to instantaneously receive filings and reduce the number of unnecessary insurance suspensions. I wholeheartedly agree with the premise of this Order and support the Commission's continued path toward technology integration in serving the public and its regulated utilities.

Constantly striving to provide better customer service is a goal the Commission takes very seriously. The Commission recently selected a vendor for the Information Management & Access Project, known as InfoMAP, which will overhaul the Commission's existing case management system to improve electronic workflow capability. We continue our efforts to have a system in place that enhances our efficiency and effectiveness as an agency, permits electronic filings, and offers consumers and practitioner's easier access to information maintained by the Commission.

This pilot program will benefit the insurance industry, affected motor carriers, the public and the Commission. The Commission looks forward to working with the motor carrier and insurance industry and receiving its feedback regarding the electronic filing pilot program.

[Pa.B. Doc. No. 06-373. Filed for public inspection March 3, 2006, 9:00 a.m.]

**Natural Gas Service**

**A-120011F2000, A125146F5000 and A-125146. UGI Utilities, Inc., UGI Utilities Newco, Inc. and Southern Union Company.** Application of UGI Utilities, Inc., UGI Utilities Newco, Inc. and Southern Union Company for approval of: 1) the transfer by sale of all property of Southern Union Company used or useful in providing natural gas service to the public to UGI Corporation; 2) the immediate retransfer of all this property, except gas supply and pipeline and storage capacity contracts, by UGI Corporation to UGI Utilities Newco, Inc; 3) the immediate retransfer by UGI Corporation of gas supply and pipeline and storage capacity contracts to UGI Energy Services, Inc; 4) the initiation by UGI Utilities Newco, Inc. of natural gas service in all territory in this Commonwealth where Southern Union Company does or may provide natural gas service; 5) the abandonment by Southern Union Company of all natural gas service in this Commonwealth; and 6) the transfer by UGI Corporation of all of the stock of UGI Utilities Newco, Inc. to UGI Utilities, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 14, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* UGI Utilities, Inc., UGI Utilities Newco, Inc. and Southern Union Company

*Through and By Counsel:* John H. Isom, Esquire, Post & Schell, P. C., 12th Floor, 17 North Second Street, Harrisburg, PA 17101-1601 and Thomas J. Sniscak, Esquire, Kevin J. McKeon, Esquire, Hawke, McKeon, Sniscak and Kennard, LLP, P. O. Box 1778, 100 North Tenth Street, Harrisburg, PA 17101

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-374. Filed for public inspection March 3, 2006, 9:00 a.m.]

### Rescission Order

Public Meeting held  
February 9, 2006

*Commissioners Present:* Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. International Telcom, Ltd.  
(2001.0352); A-310436; Doc. No. C-20027849*

### Rescission Order

*By the Commission:*

On May 23, 2002, Law Bureau Prosecutory Staff filed a Formal Complaint against International Telcom, Ltd. (Respondent), an IXC reseller certificated at A-310436, for failure to file its 2000 Annual Report. Respondent's certificate was cancelled by Default Order entered October 29, 2002 based upon Respondent's failure to respond to the Complaint. The notice of the Default Order was published on November 9, 2002, at 32 Pa.B. 5596.

A subsequent review of Commission records has revealed that Respondent actually filed its 2000 Annual Report on April 4, 2001, prior to the issuance of the Complaint. Apparently, Commission records used by Prosecutory Staff to compile its list of 2000 Annual Report delinquencies were in error; while this does not adequately explain the Respondent's failure to answer the Complaint, it must be viewed as sufficient ground to rescind our prior default Order. Additionally, Commission records also show that Respondent is current with its assessments and is compliant with other Commission filing requirements. We note that the Commission has granted Respondent's request to abandon its CLEC certificate. See Docket No. A-310436F2001. Accordingly, Respondent's IXC authority at A-310436 is hereby reinstated; *Therefore,*

*It Is Ordered That:*

1. The Default Order entered October 29, 2002 at this docket against International Telcom, Ltd. is hereby rescinded.

2. A copy of this order be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-375. Filed for public inspection March 3, 2006, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by March 27, 2006. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### **Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.***

**A-00122438. Alexander Ferencz** (411 Main Street, Dunbar, Fayette County, PA 15431)—persons, upon call or demand, in the City of Connellsville, Fayette County, and within an airline distance of 5 statute miles of the limits of said city.

#### **Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.***

**A-00122217, Folder 2. Eagle Transportation Services, Inc. t/a Eagle Transportation Limousine Services, Inc.** (77 McCullough Drive, New Castle, DE 19720)—persons, in limousine service, between points in Pennsylvania. *Attorney:* James W. Patterson, 1500 Market Street, 38th Floor, Philadelphia, PA 19102-2186.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-376. Filed for public inspection March 3, 2006, 9:00 a.m.]

### Telecommunications

**A-311204F7004. Alltel Pennsylvania, Inc. and Granite Telecommunications, LLC.** Joint petition of Alltel Pennsylvania, Inc. and Granite Telecommunications, LLC for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Alltel Pennsylvania, Inc. and Granite Telecommunications, LLC, by its counsel, filed on February 9, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Alltel Pennsylvania, Inc. and Granite Telecommunications, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY, Secretary

[Pa.B. Doc. No. 06-377. Filed for public inspection March 3, 2006, 9:00 a.m.]

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY, Secretary

[Pa.B. Doc. No. 06-379. Filed for public inspection March 3, 2006, 9:00 a.m.]

Telecommunications

A-310513F7004. Alltel Pennsylvania, Inc. and Sprint Spectrum, LP. Joint petition of Alltel Pennsylvania, Inc. and Sprint Spectrum, LP for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Alltel Pennsylvania, Inc. and Sprint Spectrum, LP, by its counsel, filed on February 8, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Alltel Pennsylvania, Inc. and Sprint Spectrum, LP 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. 06-378. Filed for public inspection March 3, 2006, 9:00 a.m.]

Telecommunications

A-311242F7001. Verizon North Inc. and France Telecom Corporate Solutions, LLC. Joint petition of Verizon North Inc. and France Telecom Corporate Solutions, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and France Telecom Corporate Solutions, LLC, by its counsel, filed on February 10, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval 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 France Telecom Corporate Solutions, LLC joint petition are on file with the Commission and are available for public inspection.

Telecommunications Services

A-311204F0002AMA. Granite Telecommunications, LLC. Application of Granite Telecommunications, LLC for approval to offer, render, furnish or supply telecommunications services as a Competitive Local Exchange Carrier to the public in the service territory of Alltel Pennsylvania, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 20, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Granite Telecommunications, LLC

Through and By Counsel: Andrew O. Isar, Consultant, Miller Isar, Inc., 7901 Skansie Avenue, Suite 240, Gig Harbor, WA 98335

JAMES J. MCNULTY, Secretary

[Pa.B. Doc. No. 06-380. Filed for public inspection March 3, 2006, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

Table with 3 columns: Date, Name/Topic, and Time. Includes entries for April 12, 2006 (Robert A. Jannone, Victoria Cannon), April 26, 2006 (Mary Louise Gaughan), and May 10, 2006 (Hattie F. Davidson, Harriet S. Disston).

May 17, 2006 Philip M. Fatica 1 p.m.  
(Purchase of Service)

May 24, 2006 Fredelyn Mears 1 p.m.  
(Health Care)

Persons with a disability who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 06-381. Filed for public inspection March 3, 2006, 9:00 a.m.]

## STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v.  
Joseph R. Fareri; Doc. No. 0054-42-06**

On January 10, 2006, the barber license of Joseph R. Fareri of Philadelphia, Philadelphia County, was suspended under the Order of the Court of Common Pleas of Philadelphia County dated December 29, 2005, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Barber Examiners (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.

VINCENT IACONO,  
*Chairperson*

[Pa.B. Doc. No. 06-382. Filed for public inspection March 3, 2006, 9:00 a.m.]

## STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.  
Tina L. Henry; Doc. No. 0057-51-06**

On January 10, 2006, the practical nurse license of Tina L. Henry of Johnstown, Cambria County, was suspended under the Order of the Court of Common Pleas of Somerset County dated December 27, 2005, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

JOANNE L. SORENSEN, RN, MS,  
*Chairperson*

[Pa.B. Doc. No. 06-383. Filed for public inspection March 3, 2006, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Darlene A. Maurer, L.P.N.; Doc. No. 0544-51-05**

On December 14, 2005, Darlene A. Maurer, L.P.N., license no. PN-040866-L, of Hatboro, Montgomery County, was suspended for no less than 3 years, based on findings respondent is unable to practice practical nursing with reasonable skill and safety to patients by reason of addiction to alcohol or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the adjudication by writing to Carmen L. Rivera, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

JOANNE L. SORENSEN, RN, MS,  
*Chairperson*

[Pa.B. Doc. No. 06-384. Filed for public inspection March 3, 2006, 9:00 a.m.]

# STATE EMPLOYEES' RETIREMENT BOARD

## Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

March 22, 2006	Christopher C. Smith (Purchase of Contract Service)	1 p.m.
March 30, 2006	Arthur Randall Thomas (Purchase of Service)	1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

ERIC HENRY,  
*Secretary*

[Pa.B. Doc. No. 06-385. Filed for public inspection March 3, 2006, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
PA Department of Community and Economic Development  
374 Forum Building  
Harrisburg, PA 17120  
800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
Location: Harrisburg, Pa.  
Duration: 12/1/93-12/30/93  
Contact: Procurement Division 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:  
Vendor Services Section  
717-787-2199 or 717-787-4705

### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705



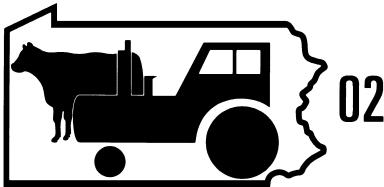
## DO BUSINESS WITH STATE AGENCIES

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

ROBERT P. CASEY, Jr.,  
*State Treasurer*

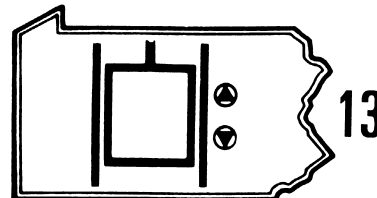
## SERVICES



**Agricultural Services**

**CN00019203** Services required of a contractor for the aerial application of insecticide over certain populated and non-populated forested areas of the Commonwealth of Pennsylvania to prevent defoliation of high-value trees by the gypsy moth (*Lymantria dispar*). Two projects are listed in the specifications: 1) Project FPM 06-01 (Fixed Wing), 26,365 acres; and, 2) Project FPM 06-02 (Rotary), 40,855 acres. A contractor may bid on one or both of the projects. Contract will be awarded to the lowest bidder for each project. Bid Opening Date/Time: March 2, 2006; 2:00 p.m.

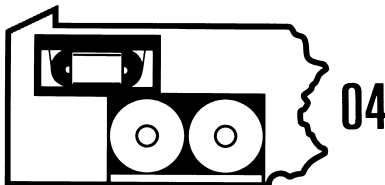
**Department:** Conservation and Natural Resources  
**Location:** Multiple counties throughout the Commonwealth  
**Duration:** Commence upon execution and receipt of Purchase Order and Notice to Proceed letter, and terminate June 30, 2006.  
**Contact:** Nancy Weibley, 717-783-4884



**Elevator Maintenance**

**CN00019322** Provide parts and labor to maintain various elevators throughout the Mayview State Hospital Campus.

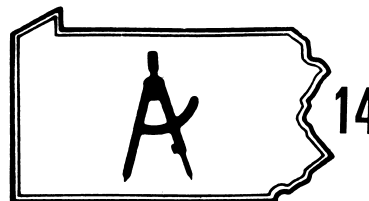
**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017  
**Duration:** 07/01/2006 through 6/30/2011  
**Contact:** F. Molisee, Purchasing Agent II, 412-257-6215



**Audio/Video**

**30-Centrex06** East Stroudsburg University of Pennsylvania has a need for a Centrex Service. Vendor must provide a minimum of 2,000 to a maximum of 3,500 flat-rated Centrex station lines. See bid package for complete details on TWO-STEP bid. To request a bid package send an e-mail to [azaffuto@po-box.esu.edu](mailto:azaffuto@po-box.esu.edu). MBE/WBE vendors are invited to participate. Bid receipt date is March 14, 2006 at 2 PM at Rosenkrans Hall Room 218.

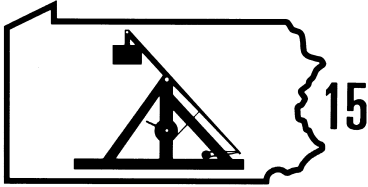
**Department:** State System of Higher Education  
**Location:** East Stroudsburg University  
**Duration:** 2 years  
**Contact:** Ann Zaffuto, 570-422-3595



**Engineering Services**

**CN00019265** Perform soil, rock aggregate and water testing services primarily on samples taken during investigation of District 11's design and maintenance projects. Samples must be picked up at the District Office or Bridgeville Maintenance facility no later than three working days after being notified. Results are to be supplied no later than seven working days after receipt of samples unless testing procedures require additional time. All laboratory data sheets, graphs, calculations and computer input/output must be submitted with results. The laboratory must be AAP accredited and located within 40 miles of the Engineering District Office Building.

**Department:** Transportation  
**Location:** 45 Thoms Run Road, Bridgeville, PA 15017  
**Duration:** The contract will be for an original period of two years from the effective date. The contract will be renewable by mutual consent for three additional one-year periods.  
**Contact:** Joseph W. Schultz P.E., D.G.E., 412-429-4923



### Environmental Maintenance Service

**OSM 03(1574)101.1** Abandoned Mine Reclamation Project, Slabtown Northwest. The principal items of work and approximate quantities include Access Road Construction, 133,000 cubic yards of Grading and 14 acres of Seeding. This project issues on March 3, 2006 and bids will be opened on March 30, 2006 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 and Reclamation Act of 1977," and is subject to that Law, and to the Federal Grant for this project.

**Department:** Environmental Protection  
**Location:** Boggs Township, Armstrong County  
**Duration:** 150 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820

**D60-060-101.1** Millmont Dam Removal Project, Lewis Township. The principal items of work and approximate quantities include 231 cubic yards of Dam Removal and Disposal, 370 cubic yards of Stream Deposition Removal and 276 cubic yards of Stream Bank Reconstruction. This project issues on March 3, 2006 and bids will be opened on March 23, 2006 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received.

**Department:** Environmental Protection  
**Location:** Lewis Township, Union County  
**Duration:** 60 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820

**OSM 54(2025)103.1** Abandoned Mine Reclamation, Palo Alto North. The principal items of work and approximate quantities include 48 cubic yards of Trench Excavation, 4 cubic yards of Class A Concrete, 1 Type M Inlet and 50 linear feet of Corrugated Polyethylene Pipe. This project issues on March 3, 2006 and bids will be opened on March 30, 2006 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received. Federal funds have been made available for this project from the \$26,051,154 for Pennsylvania's 2004 AML Grant.

**Department:** Environmental Protection  
**Location:** Palo Alto Borough, Schuylkill County  
**Duration:** 60 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820

**C47:1-104.1** Rehabilitation of the Danville Levee Drainage Structures. The principal items of work and approximate quantities include 4.7 cubic yards of Flowable Backfill of Drainage Structure No. 6, 72 linear feet of Installation of 24" Steel Pipe at Drainage Structure No. 6, Construction of four (4) New Inlet Structures, Construction of three (3) New Outlet Structures, 170 linear feet of Sliplining 18" RCP with HDPE, 63 linear feet of Sliplining 24" RCP with HDPE, 160 linear feet of Sliplining 30" RCP with HDPE, and Installation of two (2) new 18" Sluice Gates. This project issues on March 3, 2006 and bids will be opened on March 30, 2006 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received.

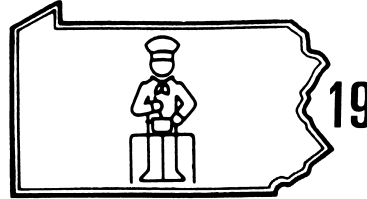
**Department:** Environmental Protection  
**Location:** Danville Borough, Montour County  
**Duration:** 120 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820

**C35:6-103.1** Rehabilitation of Moosic Flood Protection Project. The principal items of work and approximate quantities include 1,300 square yards of R-4 Riprap, 1,761 square yards of R-8 Riprap, 7,000 cubic yards of Excavation, and 600 cubic yards of Select Subbase. This project issues on March 3, 2006 and bids will be opened on April 4, 2006 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received. PLEASE NOTE that a mandatory Pre-Bid Conference has been set for this Project on March 16, 2006 at 10:00 AM. Failure to attend this Conference will be cause for rejection of the bid. Additional information and directions to the Conference can be found by contacting Kevin Kroclicik at 717-787-7879.

**Department:** Environmental Protection  
**Location:** Moosic Borough, Lackawanna County  
**Duration:** 120 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820

**C8:2-104.1** Garden Street Pumping Station Improvements. The principal items of work include Steel Flange and Gasket, 150 cubic feet of Concrete, 56 square feet of Sidewalk and 93 square feet of Precast Concrete Block Wall. This project issues on March 3, 2006 and bids will be opened on March 23, 2006 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received.

**Department:** Environmental Protection  
**Location:** Borough of Sayre, Bradford County  
**Duration:** 60 calendar days after the official starting date.  
**Contact:** Construction Contracts Section, 717-787-7820



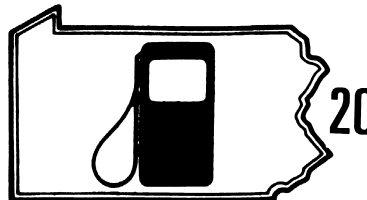
### Food

**CN00019308** Perishable Food - Miscellaneous Frozen. Prospective vendors must register with the Integrated Enterprise System (IES) at [www.vendorregistration.state.pa.us](http://www.vendorregistration.state.pa.us). DPW utilizes the information contained in the vendor master file for its procurement activities. Registered vendors who need to update or change the existing information in this file must contact IES and provide the charges or updates to IES. It is the vendor's responsibility to contact IES for changes, as DPW is unable to change vendor information. If you fail to update or change information, you may not receive requested bid information.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** Deliveries are for the time period of April, May and June, 2006. Bid opening date is 3/8/06 at 2 p.m.  
**Contact:** Debbie Jones, 610-313-1025

**CN00019315** Perishable Food - Bread and Bread Products. Prospective vendors must register with the Integrated Enterprise System (IES) at [www.vendorregistration.state.pa.us](http://www.vendorregistration.state.pa.us). DPW utilizes the information contained in the vendor masterfile for its procurement activities. Registered vendors who need to update or change the existing information in this file must contact IES and provide the changes or updates to IES. It is the vendor's responsibility to contact IES for changes, as DPW is unable to change vendor information. If you fail to update or change information, you may not receive requested bid information.

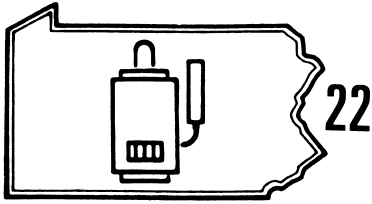
**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** Deliveries are for the time period of April, May and June, 2006. Bid opening date is 3/9/06 at 2 p.m.  
**Contact:** Debbie Jones, 610-313-1025



### Fuel Related Services

**CN00019267** The Department of Transportation is requesting services that will consist of inspection, preventive maintenance service and minor repairs of various asphalt storage tanks located in Allegheny, Beaver and Lawrence Counties. Repairs will include replacing and reinsulating piping, replacing T-Stats and replacing fuel gauge, etc.

**Department:** Transportation  
**Location:** This includes various sites within District 11 which is comprised of Allegheny, Beaver and Lawrence Counties. Contract Administration: Engineering District 11, 45 Thoms Run Road, Bridgeville, PA 15017  
**Duration:** The contract will be for a period of two years from the effective date. The contract will be renewable by mutual consent for one additional three-year period.  
**Contact:** Tony Golembiewski, 412-292-4058



### HVAC Services

**1146-AIR CONDITIONER** Mitsubishi 3 Ton Inside and Outside Air Handler Cooling Units.

**Department:** Corrections  
**Location:** State Correctional Institution, 1000 Follies Road, Dallas, PA. 18612  
**Duration:** February 2006 to June 2006  
**Contact:** Linda Davenport, 570-674-2711

**CN00019217** Super Temp-Tite Steam Carrier Pipe and Accessories. Approximately 56 different pipes needed. Bids will be available from the Purchasing Office at Ebensburg Center, Rt. 22 West, P.O. Box 600, Ebensburg PA 15931. Award will be made on the total lump sum basis and will be made in the best interest of the Commonwealth.

**Department:** Public Welfare  
**Location:** Department of Public Welfare, Ebensburg Center, Rt. 22 West, P.O. Box 600, Ebensburg PA 15931  
**Contact:** Marilyn Cartwright, Purchasing Agent, 814-472-0259

**W0555-0501** The contractor shall furnish all labor, materials, equipment, tools and supervision to repair the binding problem and degraded grate key replacement for boiler No. 2, at the Boiler Plant of the Hamburg Center, Hamburg, PA. All bidders are required to attend a pre-bid meeting scheduled for 2/23/06 at 9:00 am in the Hamburg Center Maintenance Office. To receive detailed specifications, submit fax request on your company letterhead to Hamburg Center Purchasing Office, fax: 610/562-6025.

**Department:** Public Welfare  
**Location:** Hamburg Center, 3560 Old Route 22, Hamburg, PA 19526  
**Duration:** All specified work must be completed within 180 calendar days from the effective date of the contract.  
**Contact:** Beverly O. Epting, PA, 610/562-6034

**CN00019312** The Pennsylvania Department of Transportation is requesting bids for electric repairs and service for a one year period with the option of 4-1 year renewal at (6) rest area locations in Cumberland, Franklin, Dauphin and York Counties. Questions on locations contact Bill Tyson, 787-7600; for Procurement and bid package questions contact Tim Crider, 787-6408.

**Department:** Transportation  
**Location:** Cumberland, Franklin, Dauphin, York Counties are all included in this Bid  
**Duration:** One year contract with the 4-(1) year renewals  
**Contact:** Tim Crider, 717-787-6408

**63-0238FA** Campus Wide Fire Alarm System Upgrade. Provide new proprietary central reporting fire alarm station, a modified inter-communication system to permit communication of new fire alarm system and interface existing Autocall RFT fire alarm panels on campus. Replace existing fire alarm panels and all detection and notification devices and provide a (3) year Service Contract for on-site programming, component testing and on-site training. Prevailing Wages are applicable. Estimated cost is \$1.5 million. Mandatory Pre-Proposal Conference is March 8, 2006 at 1:30 p.m. Proposals due March 30, 2006 at 11:00 a.m.

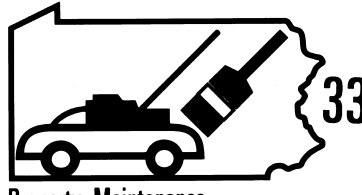
**Department:** State System of Higher Education  
**Location:** Construction Procurement, West Chester University, 201 Carter Drive, Suite 200, West Chester, PA 19383  
**Duration:** Construction duration is 365 days.  
**Contact:** Barb Cooper, 610-436-2706



### Medical Services

**CN00019360** Provide Maintenance/Preventative Maintenance for Bio-Medical Equipment. Vendors will need to be registered with the Commonwealth of Pennsylvania Central Vendor Master Unit in order to be awarded a bid. Vendors may register on-line at [www.vendorregistration.state.pa.us](http://www.vendorregistration.state.pa.us) or by calling the toll free number 1-866-775-2868. Bids may be requested by 570-587-7292. Please provide the following information when requesting bids: Name of Vendor, Address, Phone Number, Point of Contact (and their phone number) and Vendor Number. All Bids must arrive prior to the Bid opening date and time to be considered, and become property of the Commonwealth once submitted. Bid packages cannot be faxed.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411  
**Duration:** July 1, 2006 through June 30, 2011  
**Contact:** Stanley Rygelski, 570-587-7292



### Property Maintenance

**00680-000-05-AS-1** Site Name: Curtin Village. Project Name: New Wood Shingle Roof Furnace and Blast House buildings. Scope of Work: Remove existing and install new wood shingle roofing, repair/replace lath and replace flashings on the Furnace Building and Blast House, Curtin Village, Howard, Centre County, PA. As always, a site visit is suggested. For directions to the site, contact the Project Manager, Kent Steinbrunner at (717) 783-9931 or the site at (814) 355-0853. All interested bidders should submit a \$25.00 (non-refundable) check made out to PHMC and a request for a bid package in writing to: PA Historical and Museum Commission, Division of Architecture, Room N118, Plaza Level, 400 North Street, Harrisburg, PA 17120-0053 - ATTENTION: Judi Yingling (717) 772-2401 or fax - 717-214-2988 or e-mail: [jyingling@state.pa.us](mailto:jyingling@state.pa.us). All packages are sent out regular U.S. mail. If you would like it sent overnight, please provide your FedEx or UPS number. All proposals are due on Thursday, March 9, 2006 at 11:45 a.m. Bid opening will be held in The Commonwealth Keystone Building, Division of Architecture, Room N118, Plaza Level, 400 North Street, Harrisburg, PA 17120-0053.

**Department:** Historical and Museum Commission  
**Location:** Curtin Village, 251 Curtin Village Road, Howard, PA 16841  
**Duration:** March 1, 2005 to December 31, 2006  
**Contact:** Judi Yingling, 717-772-2401

**ESU 405-977** East Stroudsburg University is bidding Roof Replacement and Exterior Painting at One College Circle, ESU 405-977. GEN Cosnt \$75K. All responsible firms are invited to participate including MBE/WBE Firms. Pre-Bid Meeting March 8, 2006 at 1 PM, Facilities Mgmt. Complex. Bids Open Mar 29, 2006, 2 PM, Rosenkrans Hall. Send \$35 non-refundable check to Spillman Farmer, Sal Verrastro, One Bethlehem Plaza Ste. 1000, Bethlehem, PA 18018-5765, phone 610-865-2621.

**Department:** State System of Higher Education  
**Duration:** 120 Days ANP  
**Contact:** Ann Zaffuto, 570 422 3595

**30103476** Furnish all labor, materials, equipment and electrical power (generator) required to complete the work as outlined to stop the bird infiltration to the eave and ridge areas of the roofing to include lifts. For a copy of the bid package, please fax your request to 717-861-2932 or e-mail to the address below. Bid opening will be Wednesday, March 15, 2006 at 2:00 PM.

**Department:** Military Affairs  
**Location:** PA National Guard Armory, Bldgs. No. 57 and 58/128, Fort Mifflin, Philadelphia, PA 19153  
**Duration:** Date of Award - 30 June 2006  
**Contact:** Brenda Lower, 717-861-2118

**W-0588-0502** Furnish all labor, materials, equipment and supervision to perform all necessary operations to repair the deteriorated sections of the exterior finished paint coat on the 100,000 gallon potable water storage tank located at the Loysville Youth Development Center, Perry County, Pennsylvania.

**Department:** Public Welfare  
**Location:** Loysville Youth Development Center, 8 Opportunity Drive, Loysville, PA 17047  
**Duration:** Unknown  
**Contact:** Nikki Koser, Purchasing Agent, (717) 789-5508

**CN00019300** Heating Ventilation and Air Conditioning Services: Contractor shall provide HVAC services as-needed on premises occupied by the Lehigh Valley CareerLink on a 7-day, 24-hour basis. Emergency Services must have prior approval from the Site Administrator. Unless stipulated, the hourly rate will be the same 24 hours a day, 7 days a week. If same rate will not apply, stipulate all exceptions. All materials furnished must be first quality and will be billed at contractor's cost plus 10 percent. Contact John Haupt at 610-821-6775 for site inspection.

**Department:** Labor and Industry  
**Location:** Lehigh Valley CareerLink - Easton, 220 Ferry Street, Easton, PA  
**Duration:** Term of Contract: This is a one (1) year contract with an option for an additional three (3) one (1) year renewal.  
**Contact:** Debra A Noggle, 717-705-0450

**CN00019304** The Department of Conservation and Natural Resources, Bureau of State Parks, requires the services of a contractor to perform various excavation projects at Prince Gallitzin State Park Campground area (Cambria County). A site visit may be arranged by calling Rory Bower at (814) 674-1000.

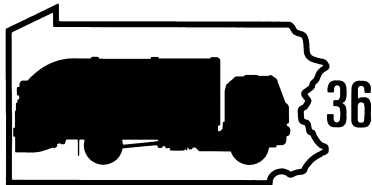
**Department:** Conservation and Natural Resources  
**Location:** Prince Gallitzin State Park, 966 Marina Road, Patton, PA 16668-6317  
**Duration:** The Contract shall commence upon execution and receipt of Purchase Order, and terminate 11/30/2006.  
**Contact:** Gloria Strawser, 717-783-0733

**CPC 06-091** Preservation North Plaza Balustrade Cleaning, stain removal and application of antimicrobial agent from granite balustrade, pavement, steps and site markers. Application of antimicrobial agent and rinsing of selected area of east sidewalk pavement (front of Capitol Building). Clean, prepare and spot refinish (touch-up) Light Standards consisting of fifty (50) metal light standards (various locations around the Project site). Light standard work shall include disassembly, cleaning and reinstallation of lenses and relamping with bulbs supplied by the Committee. Cleaning, preparation and painting of two (2) cast iron utility access panels located at the main entrance to the Capitol Building. Release date: February 21, 2006, 1 p.m. Award date: April 19, 2006. Deposit Required for Plans and Specs: \$100.

**Department:** PA Capitol Preservation Committee  
**Location:** Harrisburg, PA  
**Duration:** Start Date: July 5, 2006; End Date: September 17, 2006  
**Contact:** David L. Craig, (717) 783-6484

**354R14** You are invited to submit a proposal to the Pennsylvania Department of Transportation (PennDOT) to obtain a Design/Build Contractor who would design and install beautification sites in a specific geographic area of Pennsylvania as part of PennDOT's Roadside Beautification Program. PennDOT's wish is to streamline the design and installation of landscape plantings within state owned highway right-of-ways in partnership with Beautification Sponsor Groups (BSGs) in six of the eleven PennDOT Engineering District Offices. Many potential BSGs have a desire to create landscape plantings along a highway, but some need assistance in landscape design and selecting and arranging plants so that they appeal to the public. With this new Roadside Beautification Program, BSGs made up of local citizens, civic clubs, business and/or municipalities, can be assisted by PennDOT's Design/Build Contractor who will be available to those in Engineering Districts 1-0, 2-0, 9-0, 10-0, 11-0 and 12-0. This Request for Proposal is being issued to obtain a Design/Build Contractor for PennDOT's Roadside Beautification Program. Interested contractors may request a copy of the RFP by faxing their name, company name, address, telephone number and fax number to Shirley Morales at (717) 783 7971 or by e-mail at smorales@state.pa.us. Please reference 354R14 on your request.

**Department:** Transportation  
**Location:** Western half of the Commonwealth.  
**Duration:** 4 years with renewals  
**Contact:** William Gipe, 717-783-8906



### Sanitation

**CN00019170** The Department of Conservation and Natural Resources, Bureau of State Parks, requires the services of a contractor to provide solid waste collection and disposal services at Susquehannock State Park (Lancaster County).

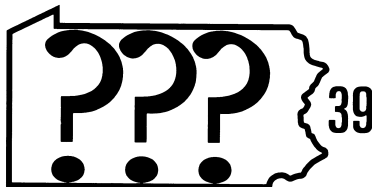
**Department:** Conservation and Natural Resources  
**Location:** DCNR - Bureau of State Parks, Susquehannock State Park, 1880 Park Drive, Drumore, PA 17518  
**Duration:** The Contract shall commence upon execution and receipt of Purchase Order or May 1, 2006, whichever is later, and terminates December 31, 2008.  
**Contact:** Gloria Strawser, 717-783-0733



### Security Services

**CN00019325** State Correctional Institution at Rockview is seeking bids for Security Food Pass Assemblies. These cell-door mounted, steel and lexan units are for the purpose of safely serving meals to inmates in the Mental Health Unit. Prospective bidders must possess a Vendor number issued by the Department of General Services Central Vendor Management Unit, 1-866-775-2868, or www.vendorregistration.state.pa.us. Interested vendors may request bid packages via e-mail jpackard@state.pa.us, or via fax (814) 355-4874.

**Department:** Corrections  
**Location:** SCI-Rockview, State Route 26, Box A, Bellefonte, PA 16823  
**Duration:** 02/17/2006 through 06/30/2006.  
**Contact:** Janine E. Packard, PUR AGT 2, 814-355-4874, X425



### Miscellaneous

**WNVAA506** Aerial Larviciding statewide for adult mosquito population.

**Department:** Environmental Protection  
**Location:** Statewide  
**Duration:** One year with possible 2 one year renewals  
**Contact:** Bill McDade, 717-783-0486

**CN00019262** Vendor to enter into an agency contract to cover the requirements of the Department of Conservation and Natural Resources (DCNR) for Merit 75WSP Mini Insecticide, 88 x 1.6 oz. Contractor is to provide approximately 30 drums per year. Interested vendors must be registered with the Commonwealth and have a registered vendor number. To register and obtain number, call 1-866-775-2868. Bid Opening: February 28, 2006, 2 p.m.

**Department:** Conservation and Natural Resources  
**Location:** Delivery to be to various DCNR offices  
**Duration:** The contract shall commence upon execution of contract and terminate February 28, 2007, and may agree to renew for two additional annual terms with final termination February 28, 2009  
**Contact:** Naomi Rudisill, 717-783-0749

**05-0004** Thaddeus Stevens College of Technology is soliciting bids for a 14" by 40" Engine and Toolroom Lathe.

**Department:** State  
**Location:** 750 E. King Street, Lancaster, PA 17602  
**Contact:** Nancy Froeschle, 717-299-7787

**010099056** PennDOT is seeking bids to provide a turn-key wireless information system ("Wireless System") for the Pennsylvania Welcome Center at Delaware Water Gap (the "Welcome Center") that will provide "hotspot" style Internet service to travelers at no cost to PennDOT. The Wireless System will provide Internet access to wireless equipment owned by the traveling public. As part of the Wireless System, the Vendor will also provide a kiosk ("Kiosk") at the Welcome Center which will allow access to the PennDOT splash page and related screens. Internet and e-mail access will be prohibited from the Kiosk. The Wireless System will be completely independent of the existing Commonwealth infrastructure and must meet the travelers' present and future needs. The successful Vendor will conduct a six (6) month proof-of-concept trial at the Pennsylvania Welcome Center located at Exit 310 I-80, Rte. 611 and River Road, Delaware Water Gap, PA 18327.

**Department:** Transportation  
**Location:** PennDOT, Harrisburg, PA  
**Duration:** The duration will be for 6 months.  
**Contact:** Donna Leitzel, 717-705-6486

**SSHE 401-BL-814 Coal Elevator Replacement** Work consists of removal of the existing elevator and replacing with a new bucket coal elevator located in the Heating Plant at Bloomsburg University. To obtain a copy of the bid documents submit \$25.00 (non-refundable) to Bloomsburg University, 400 E. 2nd Street, Bloomsburg, PA 17815, Attn: Diann Shamburg, phone 570-389-4312, fax 570-389-2017. This will be a one prime contract. The pre-bid conference will be held on February 21, 2006 at 10:00 a.m., Waller Administration Bldg., Room 38A with bids due March 3, 2006 at 1:30 p.m., Bloomsburg University.

**Department:** State System of Higher Education  
**Location:** Bloomsburg University, 400 E. Second Street, Bloomsburg, PA 17815  
**Duration:** 45 calendar days  
**Contact:** Diann Shamburg, 570-389-4312

**SSHE 401-BL-821 Boiler No. 3 Outer Casing Replacement** Work consists of replacing the fire brick tile, the insulation and the outer casing of Boiler No. 3 located in the heat plant at Bloomsburg University. To obtain a copy of the bid documents submit \$25.00 (non-refundable) to Bloomsburg University, 400 E. 2nd Street, Bloomsburg, PA 17815, Attn: Diann Shamburg, phone 570-389-4312, fax 570-389-2017. This will be a one prime contract. The pre-bid conference will be held on February 20, 2006 at 10:00 a.m., Waller Administration Bldg., Room 38A with bids due March 3, 2006 at 1:00 p.m., Bloomsburg University.

**Department:** State System of Higher Education  
**Location:** Bloomsburg University, 400 E. Second Street, Bloomsburg, PA 17815  
**Duration:** 90 calendar days  
**Contact:** Diann Shamburg, 570-389-4312

**CN00019266** This contract is to provide for the expeditious removal of disabled or accident vehicles and small non-hazardous debris from the Parkway West, Parkway East, Parkway North and Interstate 79. Rapid removal is performed by Freeway Service Patrol Vehicles (FSPV) located on freeways during hours of peak traffic. This continuous service facilitates a response reducing the total time needed to clear incidents.

**Department:** Transportation  
**Location:** Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-5000  
**Duration:** The Contract will be for an original period of three years from the effective date. The Contract will be renewable by mutual consent for two additional one-year periods.  
**Contact:** Dominic Munizza, P.E., 412-429-6034

**CN00019358** Furnish approximately 22,400 square feet as follows: 12,000 square feet of USG Corporation Rock Face ClimaPlus water felted, mineral-base with painted finish acoustical panels; 5,000 square feet of USG Corporation Radar ClimaPlus water felted, mineral-base with painted finish acoustical panels; and 5,400 square feet of USG Corporation Astro ClimaPlus nodular, mineral-base with painted finish acoustical panels.

**Department:** Public Welfare  
**Location:** North Central Secure Treatment Unit, Reed Building, 210 Clinic Road, Danville, PA 17821  
**Duration:** Unknown  
**Contact:** Nikki Koser, Purchasing Agent, (717) 789-5508

[Pa.B. Doc. No. 06-386. Filed for public inspection March 3, 2006, 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*